Mr. Muuro’s Motion. [December 12.] First Night’s Debate. 2805

with the view of currying favour with them. I know nothing of such a circular, but I do know that a year or two ago, when I first became member for Warrnambool, I received a circular from the Postal department, intimating that a messenger was wanted in the post-office at Warrnambool, and asking me to nominate a lad for the position. I have since received other communications of a similar kind, and my practice has been to send them to the Mayor of Warrnambool, to request him to make the recommendations asked for, and then to forward his recommendations to the Postmaster-General. With these facts within my knowledge, I consider it unjust to blame the Minister of Railways for appointments which he necessarily cannot know much about, and for information with respect to which he must depend largely upon the officers of his department. There can be no doubt that in the matter of appointments the hard lines of business competency and commercial desirability ought to rule irrespective altogether of politics. I have every respect for the acuteness of the Minister of Railways. I believe he has given most unflinching and most active attention to his duties. At the same time I am inclined to think that he undertakes too many things, all of which cannot properly be attended to by one man. I consider there is precedent for such an inquiry as that which the honorable member for North Melbourne (Mr. Muuro) seeks in the inquiry instituted by the Legislative Council with reference to the causes of the Jolimont accident. However, that inquiry stopped short because the most essential witness, the late Engineer-in-Chief, who had left the colony for Sydney, refused to return to give evidence, and that not in the most courteous way. I admit that, for many years, Mr. Elsdon was the most active and sagacious manager and chief engineer of the Hobson’s Bay Company’s lines; but when that gentleman was called upon to take the control of the whole Railway department—an office involving duties fifty times as onerous as those which he had to perform in connexion with the Hobson’s Bay lines—there is no doubt that he had more to do than he could properly manage. In the same way, I think, the present Minister of Railways has attempted to do more than any one person should be called upon to perform. Reverting to the question immediately before the chair, I say it must not be left to the coroner to inquire into the management of the Railway department or the action of the Government. I think the President should give the House the assurance that directly, or as soon as possible after, the coroner’s jury have brought in their verdict, the inquiry which he contemplates shall be commenced.

Mr. BENT.—That is what he did say.

Mr. FRANCIS.—Of course, the matter must not be postponed indefinitely; and, therefore, I hope the Premier will make it manifest that he does not intend that there shall be one hour’s necessary delay. I shall support the Government as far as I can. I must take exception to the mode and the manner in which inquiry is asked for by the honorable member for North Melbourne. I consider that we ought not to dictate to the Government the order of their business—when it should be done, or how it should be done. I have been pleasingly gratified with the wonderful forbearance and self-control which the Premier has displayed this evening. I could hardly have thought that an Irishman would be able to keep his temper under such command. In conclusion, I must deplore all attempts to make political capital out of an accident which is universally deplored, and which we are not at all justified in assuming was the result of any mismanagement.

Mr. LONGMORE moved the adjournment of the debate.

Sir B. O’LOGHLEN expressed the hope that a division would be taken that night, so that the Legislative Council might be able the following day to sit and continue the examination of witnesses in connexion with the Railway Bill.

Mr. LONGMORE remarked that there were seven or eight members who wished to speak, and it would be impossible to close the debate at that sitting.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until the following day.

The House adjourned at seventeen minutes past eleven o’clock.

LEGISLATIVE COUNCIL.

Wednesday, December 13, 1882.

Representation of the Nelson Province: Resignation of Sir Charles Sladen—Motion of No-Confidence in the Ministry: Adjournment of the House.

The President took the chair at twenty-five minutes to five o’clock p.m., and read the prayer.
SIR CHARLES SLADEN.

The PRESIDENT announced that he had received a communication from the private secretary to the Governor, intimating that His Excellency had received the resignation by Sir Charles Sladen of his seat for the Nelson Province. The President also stated that he proposed to issue, on the following Saturday, a writ for the election for the Nelson Province. The President further stated that he proposed to issue, on the following Saturday, a writ for the election for the Nelson Province.

The Hon. F. S. DOBSON.—Mr. President, it would be unbecoming, after the announcement you have just made, if I were not to offer a few words with reference to the loss this House and the country have sustained through the retirement of Sir Charles Sladen from active political life. Sir Charles Sladen was personally known to almost every member of the Council, and he was not only an acquaintance, but a warm friend, of all of us who sat with him as his fellow members. I do not think that, throughout his long political life, the wildest rumour, the most slandering portion of the press could produce ever attributed one dishonest action to that gentleman. His life has been a model of what a politician's life ought to be. He is one we may all look up to as an example of political honesty, integrity, and uprightness. The younger members of the House can hardly be aware of the immense pains he took, both when he was in office and when he was a private member, to master the details of all the measures that came before this Chamber. He did so at the cost of much personal labour, and the result was great advantage to all of us. We shall miss him greatly. Indeed, I know not how we can replace him as the model of what a politician's life ought to be. He is one we may all look up to as an example of political honesty, integrity, and uprightness. The younger members of the House can hardly be aware of the immense pains he took, both when he was in office and when he was a private member, to master the details of all the measures that came before this Chamber.

The Hon. F. E. BEAVER.—Mr. President, I wish, as one of the younger members in the House, to endorse all that fell from the Solicitor-General with respect to Sir Charles Sladen. Some honorable members may not be aware that I was a member of the original Legislative Council of the colony, and that I also sat in the first Legislative Assembly elected under the Constitution Act, and I may add that during the whole of the time I was then in Parliament Sir Charles Sladen held the position of Treasurer. Under those circumstances I had the opportunity of knowing him, and in consequence all that Dr. Dobson has said I can say too. Although opposed to Sir Charles Sladen, perhaps very much, in politics, I have always respected his opinions, and regarded him as an honest, straightforward politician, and I think this House has sustained a severe loss by his resignation.

The Hon. W. A. ZEAL.—Sir, as one who enjoyed the acquaintance of Sir Charles Sladen for a short time, and who has been familiar for many years with his career as a public man, I beg to offer my testimony to the greatness of the loss the Council and the country have sustained from his retirement. He was a straightforward politician, and every honorable member will bear me out in adding that he was also a chivalrous high-minded gentleman. I will say further, that I think we ought to go a little beyond mere words on this occasion. I would like to see some step taken to convey to Sir Charles Sladen personally the high respect in which we hold him. If one of the older members would move in the matter, I am sure he would receive unanimous support. The compliment I have in view would only be one that has been well earned. Perhaps Mr. Graham will take up the suggestion I have thrown out.

The Hon. J. A. WALLACE.—Sir, I would not like to sit here after the announcement of the President, and the remarks of the Solicitor-General, if I did not take advantage of the occasion to say what I know about Sir Charles Sladen. That honorable gentleman always did his very utmost here to carry on the business that came before us. I am sure a more conscientious man never entered this Chamber. I am extremely sorry to think that he is incapacitated from attending the House, and I am convinced that we all wish most heartily that he will recover from any sickness that has come upon him, and that we may one day see him again amongst us.

The PRESIDENT.—I think it would be well if honorable members took time to consider Mr. Zeal's suggestion further, in order to ascertain if there are any precedents bearing upon the subject. I shall be prepared on the next day of meeting to state if there are precedents for voting an address to a retiring member, or for placing...
an expression of opinion with respect to him upon the records of the House.

Dr. DOBSON.—The Government will be very happy indeed to take part in any movement of the kind mentioned, provided it is in order.

The subject then dropped.

PETITIONS.

Petitions were presented by the Hon. C. J. HAM, from the Mayor of Melbourne, on behalf of a public meeting of citizens, praying the House to pass such a measure as might be necessary to place the railways of the country under safe and efficient management; and by the Hon. D. C. STERRY, from residents in the shire of Mount Franklin, in favour of the proposed railway from Creswick towards Daylesford being extended to Daylesford.

THE MINISTRY.

The Hon. F. S. DOBSON said that, inasmuch as the Assembly was still engaged in discussing a motion of want of confidence in the Administration, he would not ask honorable members to proceed further with business that evening, but he would simply move the adjournment of the House until the following day.

The Hon. J. LORIMER suggested that the House should adjourn until Tuesday. It was scarcely probable that the want of confidence motion would be disposed of before late on Thursday evening.

After some discussion, Dr. DOBSON said the Government were anxious to get on with the Railway Bill, but, inasmuch as honorable members appeared to be strongly of opinion that if they met next day no business would be done, he begged to move that the House, at its rising, do adjourn until Tuesday.

The motion was agreed to.

The House adjourned at six minutes to five o'clock, until Tuesday, December 19.

LEGISLATIVE ASSEMBLY.

Wednesday, December 13, 1882.

Public Instruction : Vere-street (Collingwood) School—Mining Disaster at Creswick—Melbourne Gaol—Public Service—Forest Conservation—Bacchus Marsh Railway—Gunbower Creek—Locomotives—Evaluations of the Factories Act—Railway Management: Collision at Hawthorn: Want of Confidence in Ministers: Mr. Munro's Motion: Second Night's Debate.

The Speaker took the chair at half-past four o'clock p.m.

PUBLIC INSTRUCTION.

Mr. MIRAMS asked the Minister of Public Instruction whether he would dispose of the old school premises and land at Abbotsford, and dedicate the funds which might be realized to the enlargement of the Vere-street School, Collingwood, which had, at present, an attendance of 720 children—a number largely in excess of the accommodation?

Mr. GRANT, in reply, read the following memorandum from the Secretary for Education:—

"It is not proposed to dispose of the land at Abbotsford, as it is not impossible that, in the course of a year or two, another school may be required in the locality, either on this site or in some neighbouring one for which this might perhaps be exchanged. In the meantime, the enlargement of the Vere-street School (Collingwood), so as to accommodate 280 additional children, will be proceeded with as soon as the proceeds of the loan are available. The building on the Abbotsford site will be utilized for the present, if necessary, in connexion with Vere-street, and, when no longer required, sold."

MINING DISASTER AT CRESWICK.

Mr. JAMES called attention to a disaster which had occurred at the New Australasian mine at Creswick, and asked the Minister of Mines whether he had any information to impart to the House with respect to it?

Mr. BURROWES read a telegram indicating the progress which had been made in the operations for the relief of the men imprisoned in the mine, and stated that, the previous night, a diver was despatched to Creswick by special train. That morning, he received a telegram asking that 5,000 feet of hose should be forwarded, and he had done what he could to comply with the request.

PETITIONS.

Petitions were presented by Sir C. MAO MAHON, from the Melbourne Chamber of Commerce, in favour of the speedy passage of the Melbourne Harbour Trust Act Amendment Bill; and by Mr. WALKER, from a public meeting of residents of Hawthorn, praying for the adoption of such measures as might be necessary to place the State railways under safe and efficient management.

MELBOURNE GAOL.

Mr. ZOX asked the Chief Secretary whether he would take into consideration the desirability of removing the Melbourne Gaol from its present site? He had always regarded the gaol as an eyesore. It was a
null
member need not question him on the subject. Further, he did not know that there was a weir, with water 16 feet deep, within a quarter of a mile of the pumps; but he knew Mr. Booth to be a man who was thoroughly master of his own business, and who would not be restrained by any false delicacy from seeking the assistance of the Water Supply department if he needed it. As no request had been forwarded to the department, he (Mr. Young) could not avoid the conclusion that the honorable member for Mandurang (Mr. McColl) had discovered a "mare's nest."

LOCOMOTIVES.

Mr. FINCHAM inquired of the Minister of Railways what distance the wheels of locomotives were supposed to run before they needed repair, and what number of wheels supplied to the Railway department during the last two years failed to run the required distance before they were sent to the workshops for repair?

Mr. BENT, in reply, read the following memorandum from the Locomotive Superintendent:

"The distance depends upon the class of railway the engine runs upon, quality of ballast, width of rail, diameter of wheels, &c. There is no required distance. There have been 20 engines received during the last two years, two of which have required to have their wheels 'trued up,' and one with a defective wheel."

FACTORIES ACT.

Major SMITH asked the Chief Secretary if he would instruct the police to take proceedings against any employers in Balarat who evaded the Factories Act No. 466 by keeping employees at work beyond the prescribed hours?

Mr. GRANT stated that the duty of enforcing the provisions of the Act devolved upon the local board of health, and they had been unsuccessful in the proceedings they had taken because of the refusal of employees to give evidence. However, he would again call the attention of the local board to the matter.

RAILWAY MANAGEMENT.

Collision at Hawthorn.

The whole of the business standing in the names of private members having been postponed, the debate on Mr. Munro's motion for a select committee "to inquire into the management and working of the Railway department, and especially to report on the whole circumstances relating to the recent disastrous occurrences at Hawthorn," and on Sir Bryan O'Loghlen's amendment for the previous question (adjourned from the preceding evening), was resumed.

Mr. LONGMORE.—Mr. Speaker, I think it is only necessary for honorable members to look at the terms of the motion to realize that no Government could do otherwise than accept it as a motion of no confidence. The first object sought by the honorable member for North Melbourne (Mr. Munro) is inquiry, not into the disaster at Hawthorn, but into the management and working of the Railway department, and therefore I don't know why any honorable members should be surprised at the Government accepting the proposal as they have done. However, I agree with those honorable members who state that an inquiry such as the Government contemplate—an inquiry with the view of finding out the cause of the collision at Hawthorn—should take place at the earliest possible opportunity. An inquiry into the management of the railways can wait until a more convenient season. I don't see why an inquiry of that kind should be rushed at a moment's warning. There are many things connected with the management of the railways which, if we are to have a select committee, can be inquired into a month hence just as well as now. Therefore it seems to me unreasonable to seek to hurry on such an inquiry while the coroner's inquest is being held. Allusion has been made during this debate to the public meetings which have taken place with reference to the recent disaster. I have read the speeches which have been delivered, and I find, in the first place, that the promoters of those meetings are particularly careful to intimate that they have no desire to make their movement hostile to the Government; and, in the second place, that they demand that an alteration in the conduct of the Railway department should be made instantly, and that a board of management should be appointed. Now I quite agree with the honorable member for Geelong (Mr. Berry) that all this vapouring is simply indulged in for a purpose, and that is to get a conservative board appointed to manage the railways for all time. ("No.") I assure the honorable gentleman who says "No" that, when he has been a member of this House as long as I have, he will see that bogus frights are frequently made use of for party purposes, with the result that the real question at issue is lost sight of. The honorable member for North Melbourne says that "the whole country" cries "shame" on the management.
of the railways; but I travel on the railways as much as other honorable members, and I assert that "the whole country" is not crying anything of the sort. I don't hear of it as a common topic of conversation in the carriages more than any other subject. I see no people travelling by omnibus or by car in preference to railway in consequence of the collision at Hawthorn. The railways are crowded just as much as ever. The public have sense enough to know that accidents will occur under the best regulated railway management that we can possibly have. Therefore I don't see why statements which do not represent the actual facts should be made in this House, merely to make honorable members believe that there is, in the country, a feeling about the matter which really does not exist. If the collision —I don't call it accident, because the thing should not have occurred—had taken place in a country district, instead of at Hawthorn, we would not have heard half so much about it. I say that the way in which the disaster has been used by a party to press forward their own views in this House is absolutely shameful. It will be time enough for this House to move in the matter when we find out the cause of the collision. There is no use in honorable members trying to shelter this, that, or the other man; somebody must be to blame, and that somebody ought to be brought before a proper tribunal. The coroner's inquest, which will be over in a short time, may actually point the finger at those who are to blame. The coroner's inquest will deal straight with the faulty time-table which was placed in the hands of officers of the Railway department, and will ascertain whether that faulty time-table helped to bring about the disaster. I suppose the accident which took place at Creswick, yesterday morning, is one that no human foresight could have avoided. I presume a strict inquiry will be made forthwith into the circumstances connected with that accident. The country cannot afford to sit silent before the sacrifice of the lives of 20 or 25 men.

Major SMITH.—There will be no delay in that case.

Mr. LONGMORE.—Of course the coroner's inquest will be held immediately, and is not that the case with respect to the railway collision? I think it a piece of exceedingly bad taste for the honorable member for Ballarat West (Major Smith) to make the statement he has. The matter is too serious to be jested about.

Major SMITH.—I was not jesting.

Mr. LONGMORE.—The honorable member ought to realize that the country demands that human life shall not be sacrificed carelessly or even cautiously on our railways, in our mines, or anywhere else. The honorable member for North Melbourne has referred to the action taken in another place with regard to the Jolimont accident. But I never heard of the Government of the day accepting a resolution of the other Chamber as a vote of no confidence. What are we coming to that the honorable member should demand that the Government should accept such a resolution as a vote of no confidence? I hope our constitutional liberties are in better keeping than to induce any one to suppose that any Chamber outside this House can have a potential voice in the making and unmaking of Ministries. The honorable member, with great vehemence, has said that he will demand a division so that the country may know how every one votes on this question. Well, I am going to vote against the motion, and I will tell the honorable member why. In the first place, I don't want any calamity that maybefall our fellow men to furnish an excuse for tabling a motion of no confidence in the Government who possibly have not had the slightest thing in the world to do with that calamity. There are questions of public policy with respect to which an honorable member has the right to propose a motion of no confidence in the Government; but this is not one. To submit a motion of no confidence in relation to a question of this sort is only to render a political party ridiculous. I may tell the honorable member for North Melbourne, once for all, that I don't think the liberal party is going to follow his lead. The honorable member altogether miscalculates his position in this House when he jumps upon the floor and demands that honorable members shall follow his lead. The honorable member says—"I am the leader of the opposition side of the House, and I will push my motion to a division; I am determined that the country shall know who votes against me." Who is the honorable member that claims to be our leader? He came into this House on the lines of the liberal party, to help the liberal party, and to do all he could for it. He came into the House for that purpose alone.

Mr. MUNRO.—I came in as the follower of Mr. Francis.

Mr. LONGMORE.—During the time that the first Berry Government were in office, the honorable member sat with the
Mr. Munro's Motion. [December 13.] Second Night's Debate. 2811

liberal party, and voted with them on every occasion until a test vote came.

Mr. MUNRO.—I did not.

Mr. LONGMORE.—The honorable member was in the House when the first Berry Reform Bill was introduced, and he voted for the first and second readings of that Bill, and spoke in favour of the measure at every possible turn.

Mr. MUNRO.—That is simply untrue. I never said a word in favour of the Bill.

Mr. LONGMORE.—The honorable member voted for the Bill, and the honorable member for Geelong (Mr. Berry), when he was stuck up and could find no way of getting the measure passed, proposed an embassy to England. That was the turning point with the honorable member for North Melbourne, who voted against the embassy.

Mr. MUNRO.—Certainly; I never believed in it.

Mr. LONGMORE.—The honorable member spoke and voted for the second Berry Reform Bill. He voted for the second reading of that measure, but, when the third reading came on, he moved that the order of the day for the third reading be discharged, with the view of getting the Assembly to accept the Council's Reform Bill. That is the way in which the honorable member has served his late constituents, the electors of Carlton.

Mr. MUNRO.—Mr. Andrew spoke and voted for the second Berry Reform Bill be discharged.

Mr. LONGMORE.—Mr. Andrew said that the honorable member was worse than any 20 men who then sat on the opposition side of the House—that he was the marplot of the liberal party—and Mr. Andrew spoke the truth. Yet we are now asked to follow the honorable member's lead. The honorable member showed his colours when he urged that the order of the day for the third reading of the second Berry Reform Bill be discharged with the view of accepting the Council's Bill. The honorable member afterwards went to the country with his new policy, and to that more than anything else I attribute the loss by the liberal party of the Reform Bill for which they fought so hard. The honorable member has now the impudence to get up in this House to lead the liberal party.

Mr. MUNRO.—He does not try to lead you.

Mr. LONGMORE.—I know that the honorable member does not, and I also know where he would lead me to if he could. The honorable member was again returned to this House when he resigned his seat on the occasion to which I have already referred, but what happened at the general election which followed almost immediately afterwards? A youth, with a sling and a stone, smote the great Goliath. The youth who did it was true to his party, which the honorable member never was. The electors of Carlton were willing to accept an untried young man in place of the veteran who had been found wanting in everything that makes an honest and upright politician. The honorable member for North Melbourne said glibly to the Government the other night—"If you won't accept my motion, I will make it one of no confidence," and he expects us to follow his lead.

Mr. MUNRO.—No, he does not; he would not have you.

Mr. LONGMORE.—The honorable member need not expect that any party will follow his lead. I regret that the honorable member for Geelong was weak enough to fall into the trap by saying that he agreed with the motion being regarded as one of no confidence. He should have recollected how the honorable member has continually acted the traitor of the liberal party. Judas betrayed his Master once, but the honorable member for North Melbourne has continually acted the part of a traitor. He is a thousand Judases rolled into one. His constituents rejected him because the "outer circle" line had no charms for him after a certain time. When the Assembly endeavoured to find some means
of completing the connexion between the Gippsland Railway and Melbourne, the honorable member was one of those who threw obstacles in the way, and at last he was one of two men who arranged for the purchase of the Hobson's Bay Company's lines. The honorable member worked for that company and not for his constituents, but his constituents justly and rightly sent him to the rightabout, and said they would take anybody in the world in preference to the man who had sold them. The honorable member's career in this House has been a case of "sell" ever since he became a member of the House. The honorable member carried the Metropolitan Gas Company's Bill, but what have the people got from it? I see a notice in the newspapers that the company supply gas of 16 or 17 candle power, but one can only charitably believe that 15 of the candles have been blown out. The little yellow flame which we get from the gas produced by the company is a curious return for the great Bill which was passed through this House by the honorable member's power and influence.

Mr. MUNRO.—And for which you voted.

Mr. LONGMORE.—For which I voted. But I did not know the honorable member then so well as I do now. The question now is whether the liberal party are to be dragged after a man whose whole business in this House has been to be the assassin of the party which he should have supported? Are the liberal party to follow a man who, when the critical time came, has in each instance shown himself absolutely opposed to every liberal project? That is the question I ask, and it is a question which honorable members on this (the opposition) side of the House ought to be prepared to answer. Somehow or other the honorable member's career in this House has led to fortune so far as he is concerned, but it has not led to fortune so far as the people of the country are concerned. Having these things before us, it is time that the liberal party rejected the honorable member's assumption of leadership. The honorable member for Geelong did wrong when he lent himself to the motion being brought forward as one of no confidence merely because the Government refused to let it be dealt with on the instant. I tell the honorable member for Geelong that his party ought to know whither he is leading them before the like of this takes place. I am not aware that there was any consultation by them before the motion was tabled as one of no confidence. I believe that there was no consultation on the subject. Motions of want of confidence are not light things, which can be taken up and thrown down again on the instant; and I can assure the honorable member for Geelong that he is injuring himself and his party by making every trifling matter a motion of want of confidence. There are large and broad questions to come before us. There is the Land Bill. The Government are taking away every safeguard for selection. They have not done their duty by the Bill they have brought in; and that ought to be the subject of a no confidence motion, if one could be carried. Again, there is the administration of the public departments. The Berry Government reduced the expenditure all they possibly could. For two or three years they endured more than any other Government ever did in consequence of their reductions, but now the civil service is as costly as ever it was. There are great public questions upon which the Government should be turned out of office, but they should not be ejected on the miserable thing that we now have before us. I don't say that the late accident was a miserable thing, but the way in which it is being handled in this House is miserable. There are many matters connected with the proceedings of the Government which ought to be made the ground of no confidence, but they should be dealt with in a judicial spirit. The liberal party ought to know what they are fighting for. I have no doubt that when the time comes there will be a good and solid vote upon any question which is of real importance. We are asked to vote for the present motion in order that a board may be appointed to have the management of the railways, but we have no knowledge how the board is to be composed or what its precise functions are to be. One suggestion which has been made is that the Traffic Manager, the Engineer-in-Chief, and, I suppose, other high officers of the department, should be members of the board. If they are members of it, where will be the change in the management of the department? Sir, these officers are at present on the board for the management of the railways under the political head of the department for the time being, and I have yet to learn that we have lately had any political head interfering with engineers, or with traffic, or doing anything else than working with the permanent heads for the benefit of the public. I tell honorable members that it was the liberal party who reduced the fares on the railways, who reduced the charges for the carriage of goods, and who have ever desired to enable the selectors to
get their grain to market at the lowest possible rate. The conservative party would not have done these things. If you have a board appointed outside all political influence—that is, outside the influence of this House—you will have another enormous establishment put into the hands of the conservative party. That is the meaning of all this cry about a railway board. The recent unfortunate collision has been made the groundwork for demanding an alteration in the management of the railways which will not be beneficial to the country. For these reasons, and because the motion has been brought forward by an honorable member in whom the liberal party ought not to have confidence, I intend to vote against the motion.

Mr. ORKNEY.—Sir, I think the Premier has taken a most mistaken course in regard to the motion of the honorable member for North Melbourne (Mr. Munro). I do not believe that there was the slightest intention on the part of the honorable member to make the motion one of want of confidence. He was forced into it by the challenge of the Premier.

Mr. CARTER.—No; the Premier did not challenge him.

Mr. ORKNEY.—That, at all events, is my opinion. I am not responsible for any one's opinion but my own; and my opinion is that the Premier has wantonly and most unnecessarily taken up the motion of the honorable member for North Melbourne as one of want of confidence. This is not the only occasion during the present session on which motions that were never intended as motions of want of confidence have been construed as such by the Government. From the beginning of the session until now, motions have been so construed by the Ministry upon grounds that were not tenable. I notice that the Premier laughs, but I would advise the honorable gentleman not to do so. He may, perhaps, smile in another way by-and-by. No business has been done properly during the session, because the Government desired that no business should be done. Their object has been simply to waste time, with the view of keeping themselves in office. Public questions, public necessities, have been laid aside for the personal convenience and interest of the Ministry. I am sorry that the motion of the honorable member for North Melbourne has been taken up as one of no confidence. I think that there is great need for an inquiry into the management of the railways. I don't know whether it would be better to make that inquiry by a select committee of this House or by an outside board, but I do not think it would be right for us to divest ourselves of responsibility simply because some people say that it would be better for the inquiry to be made by persons outside Parliament. So long as we represent the country, we are bound to discharge our duties and, if possible, to see that a change for the better is brought about in connexion with the Railway department. During this session how many important measures have been baulked! How little has been done! The Loans Redemption Bill is the only measure of any importance which the Government have disposed of, and that has been dealt with by their being forced to take action. Other important measures have been delayed, and much evil consequences may arise from such delay. I intend to support the motion of the honorable member for North Melbourne, and I may remark that I have consulted no one, and no one has consulted me, about the matter. Under all the circumstances of the case, I consider that it is clearly my duty to vote for the motion.

Mr. RICHARDSON.—Mr. Speaker, I think it is a great pity that on a question of this kind many speeches are made which are purely personal—that certain honorable members indulge in remarks about other honorable members, against whom they have some grievance, or with whom they have some quarrel. The honorable member for Ripon and Hampden has taken his usual course this evening, and it appears to me that he and the honorable member for West Melbourne (Mr. Orkney) should change sides in the House. The honorable member for West Melbourne has spoken from the Ministerial benches against the Government, and the honorable member for Ripon has spoken from the opposition benches in favour of the Government.

Mr. LONGMORE.—No; against Munro.

Mr. RICHARDSON.—In speaking against the honorable member for North Melbourne (Mr. Munro), the honorable member for Ripon spoke in favour of the Government. I would be sorry to do any injustice to the honorable member, but I must say that I think he has permitted his feelings to carry him away from the question at issue.

Mr. LONGMORE.—I like a straight man.

Mr. RICHARDSON.—But I would ask the honorable member if he thinks it proper to commence to quarrel over something which is beside the question—which has no
the investigation should be postponed until
will the coroner's inquest embrace?
being made. No reason has been given why
after the coroner's inquest is held.
an inquiry into the facts of the case. Will
insist on a
for an inquest of the kind to be finished in
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not take place
be dealt with, so that
accident might be held at the earliest
possible movement. What are the reasons
given why an inquiry should not take place
The Premier last night attempted
defend the position which he has taken
up, but the honorable gentleman must admit
that he made out a very
weak case.
be held. The honorable gentleman
now formed by the engine-driver and guard
of the special train are unreliable. The report
of the Traffic Manager, published in the Argus
of Saturday, really sheets home the blame
to one individual, and moreover it shows,
or attempts to show, that the reports sent
in by the engine-driver and guard of the
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Every railway employed who gives evidence
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be made by a committee of this House.
Mr. BENT.—You have been told twenty
times that you will have an inquiry.
Mr. RICHARDSON.—The inquiry
should take place at once. After the Jolm-
mont accident occurred we were told that
there would be an inquiry into that casualty,
but when was the inquiry held? What is
the value of a statement that an investiga-
tion will be made into the Hawthorn acci-
dent? The Premier told us last week that
the coroner’s jury decide upon anything but
the evidence which is brought before it?
Mr. RICHARDSON.—Then does not
the honorable gentleman see that an inquiry
by a select committee of this Chamber
will not possibly affect the decision which will
be arrived at by the coroner's jury? All
that a committee of the House can do is to
search for evidence, and there is no reason
why a committee should not be making an
inquiry at the same time that the inquest
is being held. The Railway department
has taken a course which is calculated to
prejudice the coroner's jury and the country
far more than any action adopted by this
House could possibly do. The report of
the Traffic Manager, published in the Argus
of Saturday, really sheets home the blame
to one individual, and moreover it shows,
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an inquiry may be held about the middle of
January, or some time after the recess, after
the coroner's inquest has been held, and
after the excitement in the public mind has
died out. That means after material
evidence—after evidence which would in all
probability elicit the real and full facts of
the case—has passed away. I desire to
invite the attention of the Minister of Rail-
ways to a publication issued by his own
department containing the rules and regula-
tions for the conduct of traffic on the
railways. If the honorable gentleman refers
to that publication he will see that where
there is a double line, and one set of rails
is temporarily closed, for the purpose of repair or otherwise, provision is made for conducting the traffic over the other portion of the line. There is a regulation requiring that there shall be a signal of danger at each end of the portion of the line which is closed, that there must be a signalman at each end, and that a man who is termed a pilot must travel with each train over the single line. It is laid down that no train shall leave without the pilot. If this regulation—a regulation framed by the department itself for the conduct of traffic—had been carried out, the accident could not have happened. Again, the time-table was not perfect—it was not complete. If it had been complete, I venture to say that the special train would not have passed the Hawthorn station until after the arrival of the ordinary train from Melbourne, and in that case there would have been no accident. Quite independently of the time-table, however, the accident would have been prevented if the regulation to which I have called attention had been observed. The Traffic Manager blames the guard and the engine-driver of the special train, and the station-master at Hawthorn, for not making themselves fully acquainted with the time-table. He also repudiates the reports sent in by the guard and engine-driver, whom the Locomotive Superintendent says he knows to be right, and gives his reasons for saying so. Seeing that officers of the department blame each other, that the Traffic Manager and the Locomotive Superintendent are at variance as to the facts—

Mr. ZOX.—Does the honorable member think it right to prejudge the case while evidence is being taken?

Mr. RICHARDSON.—I am referring to reports which have been made by officers of the Railway department, and published in the press.

Mr. R. CLARK.—They should never have been published.

Mr. RICHARDSON.—I am contending that these reports, having been issued and having become public property, will influence the coroner's jury, and possibly will influence the decision of the jury, far more than any inquiry made by a committee of this House could do. If there was any necessity or reason whatever for the publication of those reports, there is ten times more reason why the Government should accede to the request of the honorable member for North Melbourne to appoint a committee of inquiry at once. Such an inquiry would not interfere with the coroner's inquest in the slightest degree. The coroner's jury have simply to give a decision on the evidence submitted to them, and no inquiry held by a committee would influence that decision. In fact, the reasons given by the Government for refusing the inquiry are utterly worthless, and I hope they will not be considered by the House. From the way in which the inquiry is sought to be burked or delayed, I can only imagine that there is something which the Government are afraid of the public knowing at this particular time—some phase of the inquiry they want to avoid at this particular time in order to save themselves or the management of the Railway department.

I do not wish to attach any criminal blame in this matter either to the Government or the Minister of Railways, but there is a point in the management of the railways at which the Minister and the Government must take the responsibility, and that point was reached when they refused to allow this House to inquire into the management of the department and the circumstances connected with this accident. The Jolimont accident was supposed to have been caused by defective rolling-stock, and the Minister of Railways made that the plea for sending to England for 25 engines and a number of carriages, but I venture to say that the breaking of the tire which was the immediate cause of that accident was not where the blame rested; the cause was behind that, in the management of the railways. The Locomotive Superintendent, on this occasion, takes care to say that the rolling-stock was in excellent condition, so that it cannot be said that the rolling-stock had anything to do with the Hawthorn accident. No doubt there is some reason for the statement of the honorable member for Ripon that this has been seized upon as an opportune time to press upon the Government the introduction of a Bill to provide for the railways being managed by a board. I notice that the Premier seems to have changed his mind with regard to that Bill. Last night he stated that "after some inquiry had been made" as to how the railways should be conducted, the subject would be dealt with, and I can understand his difficulty in making up his mind as to the details of a Bill providing for the management of the railways. But that is an additional reason why there should be a full inquiry into the management of the railways. Various circumstances which have come to light from time to time—for instance, the contradictory reports of the different officers with regard
to the ballasting of a certain line—have shown that the Railway department is in a disorganized and demoralized condition which should not exist. Again, there has been what is called the “Kensington-bill job,” into which no inquiry has been made—a matter about the origin or probable consequences of which the House knows nothing, and apparently can obtain no information. No coroner’s inquest will inquire into that transaction, and it is a matter which demands very full inquiry. But it is absolutely necessary that an inquiry should be held into the present management of the railways before the Government can even proceed with the change they themselves are proposing in the conduct of the department. We must know how the money is expended, who controls its expenditure, and who is responsible for the bad management and the accidents that arise therefrom. The Government may justify their opposition to this motion on the ground that it is a no-confidence motion, but it is the Premier’s own fault that it has now assumed that aspect. The question should not have been made a party question at all, and the Premier should at once have permitted the inquiry to take place for purely national reasons. The Premier laughs. No doubt he supposes that it is necessary for national reasons that he should maintain his position, and that this House should exist for some time yet. But I would remind the honorable gentleman that railway accidents have been pressing upon us which cannot be justified under any circumstances, and that the public want to know the reason, and want to acquire some assurance of safety in travelling on the railways in this colony, which they have not felt for some time past. The Minister of Railways interjected a denial, the other night, to an assertion of mine that the accidents on our railways cost more money than those on any railways in England—I had almost said in the world. I admit that previous to the Government purchasing the Hobson’s Bay Railway there was a tolerable immunity from accident, and the personal injuries received on the Victorian lines were very few. But it must be acknowledged that as soon as the State acquired the Hobson’s Bay lines, on which the traffic is constant and the trains very numerous, the Railway department has really lost control over the traffic, and the accidents have become frequent, important, and costly, as well as outraging the feelings of the public. In the United Kingdom, where they have 21,000 miles of railways—

and railways on which the trains and passengers are numerous, and not comparatively few as in this colony—the whole amount paid for personal injuries to passengers for the year ending January, 1880, was only £210,000. On some of the lines in England, where they carry 36,000,000 passengers per annum, they have not paid as much in compensation in a dozen years as we paid last year, and will have to pay this year. It is true that the damages obtained in England for personal injuries by railway accidents are not anything like the damages awarded in this colony. I observe that the Government have appointed a board to assess the damages in connexion with the late accident, and the only reason there can be for that course is the existence of an impression—I admit a just one—that the juries awarded excessive damages in the case of the Jolimont accident.

Sir B. O’LOGHLEN.—That is not the reason of the Government.

Mr. RICHARDSON.—There may be another reason, but I took it for granted that this was the reason, in view of the fact that the Railway department, in cases when the public have pressed hardly upon it, has tried to get powers to prevent that being done in the future. For instance, in the Railway Bill it sought to prevent men from obtaining damages on account of fires caused by locomotives. The following table shows the amounts paid for compensation for personal injuries during 1879 on a number of the largest English railways, with the length of the lines, the number of passengers carried and the number of train miles run:

<table>
<thead>
<tr>
<th>Railway</th>
<th>Miles Open</th>
<th>Passengers</th>
<th>Train Miles</th>
<th>Compensation Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Great Eastern</td>
<td>465</td>
<td>45,373,836</td>
<td>6,626,668</td>
<td>£8,648</td>
</tr>
<tr>
<td>Great Northern</td>
<td>717</td>
<td>18,993,036</td>
<td>6,338,624</td>
<td>15,070</td>
</tr>
<tr>
<td>Great Western</td>
<td>2,146</td>
<td>42,790,950</td>
<td>12,584,895</td>
<td>20,000</td>
</tr>
<tr>
<td>London, N. W.</td>
<td>1,736</td>
<td>45,458,158</td>
<td>16,215,365</td>
<td>28,866</td>
</tr>
<tr>
<td>London, S. W.</td>
<td>719</td>
<td>27,600,394</td>
<td>6,553,960</td>
<td>21,497</td>
</tr>
<tr>
<td>Midland</td>
<td>1,929</td>
<td>22,421,706</td>
<td>9,522,738</td>
<td>8,114</td>
</tr>
<tr>
<td>Metropolitan</td>
<td>11,500</td>
<td>27,174,473</td>
<td>908,844</td>
<td>5,684</td>
</tr>
</tbody>
</table>

I may explain that this return only includes passenger trains. In Victoria last year the number of miles of railway open was 1,215, the total number of train miles run (including both goods and passenger trains) was 410,000, the number of passengers carried was 525,458, and the amount paid for personal injuries was £45,000, so that it will be seen that the English railways compare very favorably with ours with regard to accidents.
Mr. Munro's Motion. [December 13.] Second Night's Debate. 2817

Sir B. O'LOGHLEN.—The number of passengers you have given does not include those carried on the Hobson's Bay lines.

Mr. RICHARDSON.—The report of the Railway department for 1881 from which I have taken the figures says that the suburban passengers are included.

Mr. KERFERD.—There must have been 500,000 passengers on the Hobson's Bay lines alone.

Sir B. O'LOGHLEN.—I think there were 4,000,000.

Mr. RICHARDSON.—The tables may be wrong, but, even supposing that there were 4,000,000 passengers carried, the number is far short of that carried by most of the English lines I have given, while the amount of compensation paid by us was far greater. The Government therefore are not justified in refusing the inquiry which is asked for at this particular time. A great deal has been said about the Westinghouse brake, and I certainly think that the Minister of Railways is not justified in preventing, if he is preventing, a fair trial of that brake. It is the Minister's duty to ascertain by trial what is the best brake to adopt, and to apply that brake to the trains for the safety of the passengers. On all the English lines which I have mentioned, a brake of some kind is applied. The number of failures of each brake is recorded, and I am bound to say that the Westinghouse brake has recorded against it a greater number of failures than any other brake. On the Great Eastern Railway five brakes are in use, namely, Fay's manual, Clark's chain, Smith's vacuum, Barker's hydraulic, and the Westinghouse; and of these Smith's vacuum was used on the greatest number of train miles, and had the smallest number of failures recorded against it. However, I do not wish to enter into the question of the relative merits of brakes at this stage, as that matter will come up for discussion on another occasion.

Sir B. O'LOGHLEN.—I beg to correct the statement of the honorable member with regard to the number of passengers carried on the Victorian lines in 1881. On referring to the report of the department, I find that the number is given as 18,971,000, not 555,483.

Mr. RICHARDSON.—I find that the page of the report from which I took the figures I have given only referred to the North-Eastern system, so that I made a mistake, which I am glad the Premier has corrected, as I wish to deal with the case fairly. I do not look upon this as a party question at all. Indeed, the action which the Premier took last night in moving the previous question deprived the motion of any party aspect it bore when the discussion commenced. The Government have secured another "victory over themselves" on this occasion.

Sir B. O'LOGHLEN.—No.

Mr. RICHARDSON.—The honorable gentleman must know that in moving the previous question he took upon himself to say—"We agree with the honorable member for North Melbourne that an inquiry must be held; we only differ from him as to the time of holding the inquiry, and, in order to take the sting out of his motion, I move the previous question." On a previous occasion the honorable member for Warrnambool came to the rescue by moving the previous question, but the Premier has improved upon that course on this occasion, for he has come to the rescue and moved the previous question himself.

Sir B. O'LOGHLEN.—There was no necessity to come to the rescue. We had no reason to be afraid.

Mr. RICHARDSON.—I can only say that the Premier would have displayed his "backbone" to greater advantage if he had continued to regard the motion as he accepted it in the first instance. For my own part, I do not want a change of Government until we go to the country. I have stated that from the outset, and that we ought to have gone to the country sixteen months ago. This Government have been sitting here in defiance of public opinion outside. We have been attempting to legislate in this House, and have failed because of the inability of the Government to conduct the business. We have been doing nothing for the last sixteen months, and the people ought to have been consulted that length of time ago. Such being the case, the Government should take the earliest opportunity of winding up the business and letting the House go to the constituencies.

Mr. L. L. SMITH.—Will your side help us to do so?

Mr. RICHARDSON.—I am not the leader of this party, but I am sure of this—that the party who sit on this (the opposition) side of the House have the interests of the country as much at heart as the Government, and are so desirous of consulting the country immediately that they will assist the Government to wind up the business as speedily as possible in order to go to the country. If ever there was a pitiable sight presented in this or any other Legislative Assembly in the world, it was exhibited
on Tuesday last when the Premier moved the adjournment of the House. In response to that motion the House would naturally, under the circumstances, have at once adjourned, but the Premier encouraged one member after another to rise and address the House for the purpose of prolonging the debate.

Mr. LEVIEN.—It saved an evening.

Mr. RICHARDSON.—It was rather a peculiar method of saving, and I do not think that any saving whatever has been effected by the operation. The Premier must know that every day this House sits now is only prolonging the agony of the country.

Sir B. O'LOGHEN.—The country is quite content.

Mr. RICHARDSON.—If the Premier only knew what the public opinion of the country is, I am quite confident that his "backbone" would be stiffened, and he would send the House to the country, because I give him the credit of believing that, if he thought the country was against the Government, he would say that the Government should go before the country and consult it. The Premier, however, only makes himself acquainted with the side of public opinion which is favorable to himself. Has ever any previous Government made such a failure to do public business as this Government have done?

Mr. L. L. SMITH.—Your side will not let us do business.

Mr. RICHARDSON.—The honorable gentleman must know that that statement is not correct. There has been no "stone-walling," but only fair and legitimate discussion. In conclusion, I trust the Government will not be permitted to defeat this inquiry while the facts are fresh and can be grasped, and the blame can be placed on the right shoulders.

Mr. R. CLARK.—Sir, I think every one must deprecate the attempt which has been made during this debate to fasten the responsibility of this accident upon any Minister of Railways. I do not think we should allow party feeling to so influence our judgment as to cause us to blacken the public reputation of any Minister by such assertions. It is also to be regretted that several honorable members have shown a desire to prejudge the case before it has been heard before a proper tribunal, and I think the Minister of Railways made a great mistake in allowing the publication of official reports strongly reflecting on certain persons. Letters have been written by the permanent heads of the department which I think would have been far better left unwritten; at all events, they certainly ought not to have been published. I am very sorry that the Government have taken up the position they have assumed with reference to this motion. There was not the slightest necessity, in my judgment, for making the matter a party question at all. I am sure that every one throughout the breadth of the colony regrets the sad accident which has occurred, and every man of honest feelings must desire to see our railway system improved. If the motion of the honorable member for North Melbourne (Mr. Munro) was unprecedented, I might be able to understand the attitude of the Government, but the honorable member for Belfast has told us that, when he was in office, he agreed to a motion proposed by a member of the then Opposition for an inquiry into a department over which he was presided, and even consented to be a member of the committee himself. Supposing the Minister of Mines moves for an inquiry into the circumstances of the unfortunate mining accident at Creswick—as I have no doubt he will do—is it likely that any honorable member will object to such an inquiry? On the contrary, we should be glad in cases of this kind to have an investigation which will bring home the blame to the proper quarter. Then there is nothing in the terms of the motion of the honorable member for North Melbourne partaking of the character of a motion of want of confidence. Are we not all agreed as to the absolute necessity for inquiring into the cause of the late railway accident?

Mr. JAMES.—Why call it an "accident"? It was not an accident.

Mr. R. CLARK.—I deplore all attempts to prejudge the case before the facts are elicited by a proper tribunal. I am very sorry that certain letters have been published from official heads of the department in which particular men are blamed, because I consider such a course opposed to the principles of British fair play. I beg to remind honorable members that, when the case of the Brighton gravel came up, the Minister of Railways himself asked for a committee of inquiry, and expressed a strong determination to have one. I don't think any sane man will attempt to make the Government responsible for the late accident, but they themselves admit that there must be a thorough overhaul of affairs in the Railway department, and I can see no difficulty whatever in an investigation by a select committee into the management of our railways and the coroner's inquest into
the matter of the collision going on at one and the same time. No one expects that the coroner will trouble himself to go into the question of railway management. What he will look into will be, first, whether the accident was due to negligence, and, secondly, who, if any, were the negligent parties. In fact, the functions of the two tribunals will be altogether radically different in character. I cannot, for the life of me, see how any honorable member who desires a railway inquiry can possibly make up his mind to vote against the proposition of the honorable member for North Melbourne (Mr. Munro). It is true the Government have nominated a board of inquiry composed of outside gentlemen, but, for the investigation of such important matters as those that have to be taken in hand, it seems to me that nothing less than a committee of this House should be appointed. How can we venture to change our railway system upon the strength of an inquiry not made by ourselves? Yet that change must be made. Honorable members on both sides of the House and the whole press of the colony have for some time demanded that it should be entered upon, and the two serious accidents we have had recently make the necessity for it appear even greater than it appeared before. I may also say that I regret exceedingly that circumstances arose to take Mr. Elsdon away from the control of the Hobson's Bay lines, because we all know that while they were solely in his hands their management was absolutely perfect. Another point is that the honorable member for North Melbourne proposes that the committee shall be elected by ballot, and I have sufficient confidence in the House to believe that an election so conducted would lead to the selection of the best men for the purpose. For example, there are in the House three or four ex-Ministers of Railways, and, if they were put on the committee, doubtless their only object would be to elicit every possible testimony from witnesses of a competent character. The honorable member for Warrnambool spoke last evening of the motion of the honorable member for North Melbourne taking work out of the hands of the Government, but, if the Government are tardy, will it be beneath the dignity of the House to go ahead without waiting for them? If what ought to be done by the Government at once is proposed in another quarter before the Government propose it, is it not open to the House to avail itself of the opportunity so afforded? What are the Government but the executive committee of the House, appointed to carry out its will? I think that, if the Government do not themselves see the necessity for this committee of inquiry, the manifestation of public feeling on the subject which has taken place outside our walls ought to move them. There could be nothing offensive to them in the public meetings held at Melbourne and Hawthorn, for, from first to last, nothing of a political character was allowed to be dragged into them. At the same time the determination of the general community that there should be a change of railway management, and also an immediate inquiry into the accident, was most strongly expressed. One point came out in the course of the debate last night which deserves a good deal of attention. It is that, if the inquiry of a select committee is delayed until the coroner's inquest is over, there will be much more cause for delay if the inquest results in the committal of some person or persons for manslaughter. Why in that case the committee would not be able to sit until the trial is over, that is to say until the middle of February. The Government must see that they made a mistake in taking up their present antagonistic position. They have not yet said when, supposing the proposition of the honorable member for North Melbourne is negatived, they will appoint a select committee and set them to work.

Mr. BURROWES.—Immediately after the inquest is over.

Mr. R. CLARK.—Well, I can only repeat that I see no earthly reason why the two inquiries should not be simultaneous. I don't wish to say one word disagreeable to the Government—I have always voted with them whenever I could—but I must express the opinion that in taking their present course they are not giving practical effect to the wishes of the country. Allusion has been made to a dissolution of Parliament, and to the reasons that exist why honorable members should go to their constituencies. All I can say is that there is scarcely an honorable member that ought not to hang his head with shame when he thinks of the little business we have done this session.

An HONORABLE MEMBER.—Whose fault is it?

Mr. R. CLARK.—I think the fault is on both sides. I know, however, that I have not stood in the way. Never were parties in the House so disintegrated as they are now, and I am sorry to say that the case is the same in the country. The only thing that will clear the atmosphere is
a general election. The Government have, it is true, brought forward a few Bills, but they have not carried into law any measure of a political character.

Mr. MIRAMS.—Was not the Loans Redemption Bill a political Bill?

Mr. B. CLARK.—Surely that was not carried by the Government. It seems to me that the whole credit of the measure is due to the honorable member for Belfast and to the honorable member for Geelong (Mr. Berry), rather than to the Government. I say the sooner the House is shut up, the better for the country and the better for real practical legislation. I intend to support the motion of the honorable member for North Melbourne.

Mr. WOODS.—Mr. Speaker, in the first place I find it impossible to approach the present subject without a feeling of pity and commiseration for those who are suffering from the recent collision on the Hawthorn line, and it is with sentiments of that kind that I desire that a prompt inquiry should be made into our railway management—in refusing which the Government show that they mistake the temper of the House and the country. I think not an hour should be lost in effecting alterations in our railway system which would prevent the recurrence of such a disaster. Accident it was not. It is entirely a misnomer to call a casualty of that kind an accident. What I mean when I use the term “accident” is something that could not be foreseen, or, if foreseen, could not have been provided against. The collision that took place at Hawthorn, as well as the two previous casualties on the Hobson's Bay line, were all occurrences that might have been both foreseen and provided against. I entertain a different opinion from that of many honorable members as to the cause of the Hawthorn collision, and I will state by—and-by what my view is. Before, however, I enter on that subject, I may as well give honorable members, as clearly as I can, a little history of railway management during the last few years. I desire to disclaim all personal feeling in the matter. I cannot regard the motion of the honorable member for North Melbourne as one of want of confidence. I look upon it as a motion for an inquiry which is demanded by both the country and Parliament, as well as by the surrounding circumstances of the case. When I left the Railway department, it was in splendid working order. I challenge the records of the department on the subject, both with respect to the cost of management and the manner in which responsibility was apportioned. There was an Engineer-in-Chief, an Engineer of Construction, and an Engineer of Maintenance, and each of those officers was, in his respective position, absolutely responsible. The traffic branch was separated from every other, the Traffic Manager being responsible for everything that went on in it, and the same can be said of the locomotive branch. This system worked so well that I dare to assert that, when the reports on the subject are fully before Parliament, it will be shown that the working expenses of the railways were, at the time I speak of, fully 3 per cent. less than they have been at any period since. The present Minister of Railways has done a great deal to restore things to the state in which I left them, although he has also, in my opinion, made some mistakes in his appointments. Disorganization had set in when he took charge of the department, and the honorable gentleman is the victim rather than the cause of the casualties that have taken place recently. I mean that he is the victim so far as he has reaped what others have sown. I have always said that it is impossible to conduct the Railway department plus political influence, and I believe still that until it is absolutely removed from political influence it will never be managed properly. In New South Wales they have a different system. There they have no Minister of Railways or railway board, but a non-political Commissioner of Railways; and if you compare Victorian railway returns with New South Wales railway returns, you will find that the New South Wales lines are worked for less than ours are, and yield a larger proportionate profit than ours do. Surely there is something to be learned from that, especially when we remember that New South Wales has not the suburban railway system nor the dense population in different parts of the colony we have, so that its trains have to run a vast number of miles without getting the roadside traffic our trains get. It must not, however, be forgotten that, while the New South Wales railways are worked at a less percentage on the capital they represent than our railways are, they have not the drag of enormous original cost which our lines have. I will mention here that the Minister of Railways is entitled to credit for having duplicated the suburban lines. I believe it to be an entire mistake to run suburban traffic on a single line under any circumstances. And now I come to the question more immediately before us. At the start, I assert that in refusing an
inquiry at the present stage the Premier is not following the English practice. I have here the return of the Board of Trade in England with respect to railway accidents in the United Kingdom in 1881, and it shows the practice there pretty plainly. For example, on the 10th December, 1881, there occurred three collisions in the tunnel on the Canonbury branch of the Great Northern Railway, which connects the Great Northern Railway, Finsbury Park, with the North London Railway. What ensued? On the 20th December—only two days afterwards—Colonel Yolland, an officer of the Board of Trade, reported that he had, in accordance with his instructions, held an investigation which showed amongst other things that 4 passengers and the guard of one of the trains were killed on the spot, that 5 passengers were seriously injured, that 10 passengers were less seriously hurt, that 117 passengers were said to be bruised and shaken, and that 54 passengers had sustained slight injuries. The Board of Trade acts, in fact, as the guardian of public life and limb, and in that capacity it insists on certain conditions being carried out. For example, it insists upon all passenger trains being controlled by a power brake, and on the adoption of the block system, and, further, it stipulates that directly an accident happens it shall be reported to the board, in order that an investigation, apparently quite apart from and independent of that of the coroner, may take place while the facts are fresh and warm, and also—an important consideration—available.

We have in this colony a somewhat similar state of things under our Mining Act. Under that Act, supposing a survey shows that the late mining accident at Creswick was caused by neglect, the Minister of Mines will be able to bring the claim-holders to book at once. The official investigation into a railway accident at home is never undertaken by the railway company concerned, and with good reason, for in these matters the company is practically on its trial. There is solid cause for these independent investigations being held speedily. For one thing, a vast amount of important evidence can be obtained while the disaster is fresh, which is often absolutely unobtainable afterwards. The chances are all in favour of arriving at the exact facts if there is no delay.

Mr. Fincham.—For instance, if they are held before wreckage is removed.

Mr. Woods.—To the removal of the wreckage in the case of the Hawthorn accident I attach no importance whatever. Some honorable members seem to think that when portions of the wrecked carriages were burnt to afford light to the workmen employed, the thing was done to hide evidence, but a little thought will show the idea to be nonsense. The question is how the accident happened, not what was the exact nature of the smash. I come now to the Board of Trade report of the great Burnley accident on the Lancashire and Yorkshire Railway. I may remark that these reports are frequently accompanied by plans showing the lay of the line, the points of collision, &c., and affording other information of an explanatory character. As well as I can make out, the Burnley accident occurred on the 8th August, 1881. The Board of Trade inspector went down to the place on the 9th August, and on the 6th October—his inquiry was a very long one—he reported. The accident seems to have been caused, as a great many others have been, by a failure of the Westinghouse brake. I want to disabuse the Premier's mind of the idea that an inquiry of the Board of Trade kind could not be held at once with respect to the Hawthorn accident without interfering with the coroner's inquest. I am quite of opinion with other honorable members that the two inquiries need not clash in any way.

Sir B. O'Loghlen.—The Board of Trade inquiries are not public inquiries.

Mr. Woods.—The inquiries of the Board of Trade are public. If I am rightly informed, they are quite as public as the inquiries of a select committee of this House would be. I don't say that the outside public are admitted to them, but all those who are interested can be represented at them. For instance, at the inquiries into the cases where the Westinghouse brake had failed to act, the agents of the company owning the brake were present, and put questions to witnesses.

Sir B. O'Loghlen.—Are the inquiries reported in the newspapers?

Mr. Woods.—That I don't know.

Mr. Orkney.—They are always reported in the newspapers.

Mr. Woods.—I mentioned just now, in the Minister of Railways' absence, that he deserved credit for duplicating the suburban lines, and I repeat the statement now that he is here, with the addition that, although the line from Richmond to Hawthorn might have been single so long as the traffic was confined to Hawthorn, when it was extended beyond the duplication of the railway track became a necessity. The policy of running suburban traffic on a single line is bad, but under the block system the
arrangement can be carried on with perfect safety. Because what does the block system mean but that no train can move from a station until the way for it is signalled from the next station ahead as perfectly clear? With such a plan at work on the single line to Hawthorn, on the day of the accident, the collision could never have happened. I admit that, with an imperfect working of the block system, mistakes have been made; and mistakes are pretty well incidental to all human institutions. However, it is our duty, as I am sure it is our desire, not to run close to the edge of danger, but to leave a margin of safety to those who trust their lives, limbs, and property in the hands of the Railway department. I believe I am correct in saying that the Traffic Manager was under the impression that the double line was to be opened on the 1st December, and that his time-table was framed accordingly. For some reasons, to ascertain which there will have to be a great deal of careful inquiry, the double line was not opened on the 1st December. That is where the original mistake was made. The officers of the department should have advised the Minister of Railways that they would not take the responsibility of working the extra traffic—the traffic of the Lillydale Railway—on any portion of that single line; and that the opening to Lillydale should be postponed until the double line was ready. The omission to do this was something more than a mistake—it was a piece of incompetence; and I say, boldly and fearlessly, that at the doors of those who were guilty of removing Mr. Ford from his place as Engineer of Construction must lie the Hawthorn smash. Had Mr. Ford remained in his position as Engineer of Construction, either the double line would have been ready before the time fixed for the opening of the Lillydale line, or he would never have sanctioned the running of the Lillydale traffic on a single line. I have not the slightest hesitation in saying that the cause underlying the collision at Hawthorn is the removal of a competent man from a position of trust, where he was of value to the State, and the placing of an incompetent man in that position. My statement, on Thursday last, about the narrow escape of the Ministerial "special" on the 1st December has been challenged. I know as much about railway travelling as most persons, and, although not much given to shakiness of nerve, I noticed at once the danger we were in—not knowing that only a single line was being worked—by running on the wrong line; by an "up" train being on the "down" line. The honorable member for North Melbourne (Mr. Munro) was in the same carriage, and he can say whether there was any appreciable length of time between our changing from one line to the other, and the down train from Melbourne sweeping by. The Argus, the other day, contained a letter from some correspondent, I don't know who, corroborating every word I said on the subject. Further corroborations is supplied by the station-master at Hawthorn, who says that he observed precisely the same arrangement for the "special" on the Saturday that was made for the Ministerial "special" on the Friday. The Ministerial "special" on the Friday missed the collision, but the "special" on the Saturday got it. I think I have shown pretty clearly that if we are to follow English practice the inquiry will be held at once, and be undertaken with that amount of earnestness which honorable members must feel when they reflect upon the suffering which has been and is now experienced by innocent persons who trusted their lives and limbs to the Railway department on the 2nd December. I desire to put aside all party feeling in connexion with this matter. Surely there are some things in connexion with which party need not crop up. On a question involving the lives and limbs of our fellow citizens it is altogether out of place to allude to party. I must take exception to the attitude assumed by the Premier on this occasion. I consider it ought to have been the object of the Government to court immediately the fullest inquiry. They ought to have said— "Examine our books and our management, take the matter out of our hands, see exactly how we stand, and sheet the thing home." Had they done so, I am certain the Assembly would have come loyally and heartily to the assistance of the Government; they would have worked with the Government to attain the end which every member of the House and every member of the community wishes to attain. That wish is to fasten blame not on the Minister of Railways, but on a system of which he is just as much the victim as every preceding Minister of Railways. I trust the Government will see the necessity for receding from the position they have assumed, and allowing the inquiry to go on at once. Had I been Minister of Railways, I would not have allowed a Lillydale train to run on the Hawthorn Railway until the engineer, or rather the surveyor put there in charge,
had reported the double line fit for use. In a matter of the sort too much care cannot be exercised. And even with all the care possible, accidents do happen, as the blue books of the Board of Trade prove. Under the most perfect system, errors do now and then creep in. Machinery may go wrong, or a man may suddenly become unconscious or obtuse, and then there is disaster. In the Spencer-street station yard there is now a signal-box with 70 or 72 levers in it. Under the system in force, the signalman has absolute control in the matter of allowing trains to come in and go out of the yard. I think that when I was in office I reduced the time for which any one man should be in that box to six hours per day. Supposing unconsciousness seized the man on duty, and a train came sweeping past on the wrong line, there is no knowing what calamity might happen. I say that with every care and precaution errors will creep in. Then what is to be expected when no precaution is taken, and when up trains are run on down lines, and down trains are run on up lines? I think the staff system is better than the block system on such lines as the North-Eastern; but, on the whole of the suburban lines, the block system ought to be used. Wherever there is only a single line, danger and destruction are courted if all the devices that science and ingenuity have pointed out as being safeguards for the public are not used. I would again urge the Government to alter their attitude towards the House and the country in this matter. What is sought is, as I understand, not an inquiry with the view of criminating the Minister of Railways, or even of showing that he has been guilty either of negligence or incompetence, but simply an inquiry that shall have for its aim, object, and possible result the greater safety of the travelling public. That is the only light in which I view the motion of the honorable member for North Melbourne, and I flatly refuse to consider it in any other.

Mr. FISHER.—Sir, I think honorable members must feel much indebted to the honorable member for Stawell for the lucid explanation he has given us with regard to the working of railways, not only in this country, but in England. At the same time I do not agree with all the sentiments to which he has given utterance. The honorable member tells us that in order to ensure safety on the suburban railways we must have the block system, and yet he says that, even with the block system, we are not safe from collisions. Not long ago I read of a tremendous accident in England—two trains collided on the same line of rails, between two stations, the officials at which, by means of telegraph communication with each other, knew what was about to happen and were powerless to avert the catastrophe. Yet that was on a railway where the block system was in force. It appears that, with the most perfect system in the world, railway accidents cannot be prevented. The honorable member for Stawell says that the disaster at Hawthorn was not an accident. I do not know what meaning the honorable member attributes to the word “accident.”

Mr. WOODS.—Something that cannot be foreseen, or, if foreseen, cannot be prevented.

Mr. FISHER.—But “accident” implies a great deal more than that. The literal meaning of “accident” is “what falls,” but the term also implies something unforeseen, unpunmeditated, without design, without intention. Now will the honorable member for Stawell say that the accident at Hawthorn could have been foreseen?

Mr. WOODS.—Yes.

Mr. FISHER.—By whom? Who foresaw it?

Mr. WOODS.—Who was it that caused two trains to be running on one line?

Mr. FISHER.—I keep to one thing at a time, “Unforeseen” was the strongest meaning used by the honorable member for Stawell when he mentioned the word “accident.” But who foresaw? The honorable member cannot point to any one. Then I say this was an accident, according to the English meaning of the term. I agree with the honorable member for Stawell that this is not a party question, and should not be treated as a party question. And if it be not a party question, why does not the honorable member for North Melbourne (Mr. Munro) withdraw his motion?

Mr. MUNRO.—Because I want information.

Mr. FISHER.—And who denies the honorable member information?

Mr. MUNRO.—The Premier.

Mr. FISHER.—I am not aware that the Ministry have denied any information or any inquiry. The simple question at issue is the time for holding inquiry; and, because the honorable member for North Melbourne thinks that we should have to-day an inquiry which might as well take place a few days hence, and which certainly ought not to take place while the coroner’s inquest is proceeding, we have a motion of want of confidence in the Ministry. I say that is an abuse of the forms of this House.
Mr. ORKNEY.—Who made it so?

Mr. FISHER.—Perhaps the Premier made a mistake in taking the action he did. I said as much last Thursday night. But there have been mistakes on both sides. The honorable member for North Melbourne insisted on precedence being given to his motion, but it is the function of the Ministry to lead the House, and determine the order of business.

Mr. MUNRO.—But not to refuse inquiry.

Mr. FISHER.—If the Ministry had refused inquiry, I would have been dead against them; but the Ministry did not refuse inquiry. If honorable members are not satisfied with the Ministry, there is a straightforward way of tackling them. Let some honorable member who is not satisfied with the order of business, or anything else in connexion with the Ministry, table a straight and direct motion that the Ministry do not possess the confidence of this House. When such a motion is submitted, I shall be prepared to give it my best consideration. Seeing that both sides have found out their mistakes, I think this matter might be allowed to drop, and that we might go on with the business of the country. But it appears that the honorable member for North Melbourne will not allow the matter to drop, and so it has to be fought out to the bitter end. From what I have heard from the honorable member for Stawell, I am inclined to think that I have found the solution of the whole business. I am inclined to believe that the Ministerial “special” train from Lillydale, on Friday, the 1st December, never was in any danger. I believe that a station-master or engineer, or some other person in authority, was standing with a red flag at Burnley-street, in such a position that he could warn the train from Melbourne to slow, or stop, or come on. But, although the Ministerial “special” was not in any danger, possibly the shock which the honorable member for North Melbourne received when he heard the alarm of the honorable member for Stawell so overset his mind that he felt bound to do something in this House. That, after all, may furnish the why and the wherefore of the motion now before us. I really wonder that the honorable member does not withdraw the motion. The honorable member for Stawell has explained the whole thing to the House. I don’t believe, after all is said and done, that you will get much more by means of a select committee’s inquiry than the honorable member has told us to-night. If that be so, what need is there for this particular inquiry? Some honorable members on this (the opposition) side of the House are not quite satisfied with the composition of the board appointed by the Government; but I don’t think those honorable members rightly understand what that board is appointed for. That board has nothing to do with the accident at Hawthorn, nor has it anything to do with the management of the railways. It has been appointed simply with regard to the compensation to be awarded to the sufferers. I think the Government deserve credit for appointing such a board. Some honorable members say it will be better for the amount of compensation to be awarded by the law courts; but I am satisfied, from what took place in connexion with the Jolimont and Windsor accidents, that many of the sufferers cannot go to law except under the most disadvantageous circumstances; certainly they cannot go to law with the advantage possessed by a man who has his pockets tolerably well lined. I believe that to give the sufferers the option of going before that board, and plainly stating their case, and supporting it by medical testimony, and to enable that board to award them compensation, will be a great boon to many of the people who have been injured; and I have no doubt that the services of the board will be brought into requisition. During this debate, we have heard a great deal about the Board of Trade in England, and I think it is a matter for regret that there is not a similar body in this colony—a body that would have powers with regard not only to railways but to tramways, the adulteration of food, and other matters of equal importance. I think such a body would be a great good to the colony. Among the members of the Board of Trade in England are Ministers of the Crown and Government officials; and I presume that if a Board of Trade were established in the colony it would be constituted much in the same way. In fact, if such a body had been in existence now, it could have relieved us from the discussion we have had for two or three nights with reference to the railway accident. With regard to the appointment of a committee of this House, I altogether approve of it. I say, notwithstanding the leading article in the Age this morning, I do not believe this House is corrupt. I believe the very opposite. I could choose from this House any number of committees that would deal with this question in a fair and impartial, and, I will add, in a critical and equitable spirit. But I do not think that at this stage, in a hurried manner, we ought to
Mr. Munro's Motion.  [DECEMBER 13.]  Second Night's Debate.  2825

delegate to a committee the difficult task of hearing evidence and passing judgment with respect to the late railway accident. And there is one part of the honorable member for North Melbourne's motion that I especially object to—the part providing that the committee should be chosen by ballot. I am quite prepared to accept a committee that the Government or the honorable member for North Melbourne might choose, but I do not understand the necessity for resorting to a ballot. I can well conceive how a minority of the House, by a species of combination, could manage to secure the presence on the committee of a particular set of men who possibly would not be pleasing to the majority; and, having been selected by ballot, the majority would not like to interfere with them.

Sir J. O'Shanassy.—You cannot hinder a ballot if six members demand it.

Mr. Fisher.—That is perfectly true. But a demand by six members for a ballot is a different thing from a provision in a motion for a select committee that the appointment shall be by ballot. If the provision for ballot were omitted, the motion would be a very good one, because there is nothing in it to show when the committee will be appointed. It simply provides that a committee shall be appointed, and the simple issue to be determined is whether the honorable member for North Melbourne should be allowed to submit his motion at this particular time. I am inclined to think that, if the honorable member were a Minister of the Crown, he would not allow a member of the Opposition to do anything of the kind. The motion proposes that there shall be an inquiry into two things; one is "the management and working of the Railway department," and the other is the late accident. These are two quite distinct things, and they ought not to be mixed up together. An inquiry into the "management" of the Railway department will of course involve the question of whether or not the patronage of the department should continue in the hands of the Government, but that is quite a different matter from the causes of the late accident and who is responsible for that accident. It is possible that the whole railway system might be better managed if it were in the hands of an outside board, but we ought not to debate that question now. It is, however, a question which will have to be debated at some future day. At the public meeting held at the Melbourne Town Hall, to which reference has been made, a great deal of feeling was manifested against the patronage of the Railway department being in the hands of the Government, and it was alleged that the late accident was brought about by the present system of patronage. Whether those who made that statement are right or not I am not prepared to say, but we have no evidence that such is the case. I think in the end it will be found that they are not right, but at the present moment this is a mere matter of speculation and supposition. It is a pity, I repeat, that we should be discussing a motion which involves two distinct questions. If a committee is appointed to inquire into both matters, and that committee brings up a report recommending that Government patronage should be abolished in connexion with the Railway department, will it not have to be done away with in all other departments?

Mr. Munro.—No.

Mr. Fisher.—Why should the Railway department be made an exception?

Sir J. O'Shanassy.—They don't kill in other departments.

Mr. Fisher.—But men's reputations may be destroyed in other departments. Men in other departments may be subjected to even greater suffering than would be inflicted by severe bruises in a railway accident. If we take away Government patronage from the Railway department, we must, if we act logically and consistently, take it away from all the other departments. The question of patronage, I say, ought to be eliminated altogether from an inquiry into the collision at Hawthorn. If necessary, let another committee or a board be appointed to inquire into the question of depriving Ministers of patronage. If the House decides that the Government should exercise no patronage in the Railway department, logically it must also determine that there shall be no Government patronage in the other departments of the State. If the House arrives at that conclusion, I am prepared to support it, but I don't think the House will come to that conclusion just yet. There are many reasons why I believe that the House is not prepared to go that length at present, but it is possible that at some future time it may go that length. In conclusion, I desire to say that if the honorable member who has proposed the motion would act upon the good old motto of "hasten slowly," he would be more likely to do justice to the sufferers by the recent accident and to the whole community, as well as to this House. I am sure that it will also be a great deal better for the honorable member himself, in the long
run, if he adopts the motto “fustina lente.” I am convinced that if by the present motion the liberal party, the Munro party, or any other party obtain a triumph, and displace the Ministry on the score of the late accident on the Hawthorn Railway, it will be the most unfortunate, unhappy, and disastrous thing which could happen to that party.

Mr. DEAKIN.—Mr. Speaker, I think it is to be regretted that the question should have assumed its present shape. It will be remembered that the motion of the honorable member for North Melbourne (Mr. Munro) was not intended as one of want of confidence, nor was it regarded by the Government in that light in the first instance, when it was tabled by the honorable member spontaneously. We heard last night from the Premier, and it has been stated to-night by one or two honorable members, that the motion, of itself and in itself, is a motion of want of confidence; but why did not the Government discover that last Wednesday evening, when notice of the motion was given? Even on Thursday, when the honorable member for North Melbourne asked that the motion should have precedence, the Premier did not give the slightest hint that he regarded it as one of want of confidence. It was never intended as a motion of want of confidence; the Premier knew that it was never intended as such; and it was simply his obstinacy in refusing an inquiry into the circumstances of the accident—or suggesting the middle of January, or some time after the recess, for an inquiry—which compelled the honorable member for North Melbourne to take the only parliamentary course open to him to force the Government to allow the motion to be discussed forthwith. In connexion with the Jolimont accident, honorable members had seen how the Ministry dealt with the matter of an inquiry into a railway accident, and that was enough to teach the Opposition what they might expect in the present instance if an inquiry was postponed, as suggested by the Premier. There was only one mode of bringing forward the motion as a matter of urgency, and that course was adopted. It was taken without any view to ulterior results; it was taken, as the motion was tabled, almost spontaneously, and with the simple object of compelling the Government to do what they have now been obliged to do, namely, to allow the motion to be debated, and to take the responsibility of refusing an immediate inquiry into the causes of the catastrophe.

Mr. FRANCIS.—You have not done that.

Mr. DEAKIN.—The Government have attempted to evade the issue by a side-wind. Ably as they may be backed up by their majority, and strong as they may fancy themselves, they are afraid of a straight vote on this question.

Mr. LEVIEN.—They only say that they will not vote on it now.

Mr. DEAKIN.—What is the object of moving the previous question? What is gained by it? There will be no time saved; the debate will be just as long; and a division will take place. The only difference will be that the division will be on the previous question instead of on the motion itself. If the Government have done anything by moving the previous question, they have enveloped the whole matter in a fog. No division will be avoided; the same members will vote; and not a single vote will be changed on one side or the other. The only change will be that, instead of the division being taken for and against an inquiry, it will be taken for and against the previous question, which, to the majority of the public, will be meaningless. It is quite unnecessary for me to reply to the speech made to-night by the honorable member for Ripon and Hampden. The honorable member's remarks consisted principally of personal criticisms of or aspersions on the honorable member for North Melbourne. I simply desire to remind the honorable member that last night he was one of those who rose to protect themselves and the corporate honour of this House from the assaults of a malignant and traducing press, and yet to-night he has spoken a leading article which reflects on a brother member, and indirectly on the corporate honour of the House, in a manner just as severe and violent as the article in the press to which attention was called last night. If the spoken article had been written and had appeared in the press, instead of being delivered in the House, no doubt the honorable member would have wished to bring the publisher to the bar. The present Ministry, like all other Ministries, are subject to enlightenment, but no Ministry have received so much enlightenment from the Opposition as the present occupants of the Treasury bench. An eminent writer, when he found the ideas which he intended to introduce to the public forestalled by another writer, said he regarded their presentation to the public by another with mingled pleasure and pain. I suppose it is with mingled pleasure and pain that honorable members on this (the opposition) side have found that Ministers, after objecting
to the course which they were asked to take, have shown that light has dawned upon their minds, and that, as the numbers have become still clearer to them, they have seen that the course proposed by the Opposition was so far right that it should be adopted as nearly as possible. We now find that the Government are willing to accept—with such trifling variation as may serve to protect their reputation—the policy which they at first repudiated. When the honorable member for North Melbourne and other members of the Opposition first insisted on an inquiry into the causes of the late disaster and the management of the Railway department, the Premier was cool, if not indifferent, as to the time when the inquiry should take place. We were informed that it might be held a few weeks hence—some time after the recess—that the House was to leave the matter to the Ministry, and to make no impertinent inquiries. As the debate has proceeded, and honorable members on this side have made it more and more evident that the question is not to be disposed of in the off-handed manner that the Premier first suggested, the Ministry have gradually swung round the compass until we now find them inspired with perfect energy for inquiry, carefully indicating the lines which it shall follow, and stating that it shall commence as soon as possible after the coronial inquest. The honorable member for Stawell has shown that it will be in accordance with the English practice for a parliamentary inquiry and the coroner's inquest to proceed side by side. However, instead of the two sides of the House differing, as they did a few days ago, as to whether an inquiry should be held or not, the only point now in dispute is whether the investigation should commence at once or at the conclusion of the coroner's inquest. The Ministry having approached so closely to the position taken up by the Opposition, the discussion has been robbed of many of its strongest features. In this, as in many other instances, the Opposition have, at all events, succeeded in gaining a moral victory. I desire to add my mite to the remarks made by the honorable member for Geelong (Mr. Berry) last night, when he very properly protested against the publication of certain official documents, as they are termed, prepared by single individuals, more especially those prepared by one individual, who must know perfectly well that, by the public as well as by members of this Chamber, he is regarded as connected with the accident. I do not say that the head of the Traffic department is responsible for the accident, but he must feel that the inquiry will more or less involve himself. He is to some extent upon his trial, and yet how has he dealt with his inferior officers? In a manner most unseemly, improper, and thoroughly un-English. The report signed by the Traffic Manager and published in Saturday's paper is really a judgment and sentence on the whole case. There could be no greater breach of the principles of justice than the publication of that document. I do not mean to say that the Traffic Manager was not justified in collecting evidence and furnishing the report for the information and guidance of the Minister, but the publication of such a report is certainly a most serious breach of the principles of justice. An influential country newspaper has drawn attention to the fact that there are regulations promulgated by the department for conducting the traffic on double lines when one line is closed, which is just what was the case when the accident happened on the Hawthorn line. Those regulations were ignored on that occasion instead of being obeyed. An attempt has been made to show that the motion before the House is based solely on the Hawthorn catastrophe, but the fact is that every day the newspapers contain letters from citizens with reference to narrow escapes from other serious accidents on the railways. In the Argus particularly a series of letters have appeared giving the experience of the writers as to the suburban lines, and some of the incidents which they relate are of the most extraordinary description. We hear of an express train being started seven or ten minutes behind its time, along a crowded line, and with the admission of a station-master that he did not know any such train was going to be started at all. The honorable member for Stawell mentioned that only the other day there was a very narrow escape from a collision. We have trains delayed, time-tables faulty, and mishaps of all kinds occurring. It is not only one accident which is awakening the House and the country to the need of an entire change in the management of the Railway department, but there is a concurrence of testimony on every hand that the affairs of the department are apparently one inextricable mass of blunders and bungles. In passing, I would suggest that the Premier would do well to direct his attention to a very serious question, which he must face in his capacity of Treasurer, namely, the enormous cost in which the Government are liable to be involved by these accidents.
would ask the honorable gentleman to consider the desirability of introducing at once some provision for placing a limit to the damages in which the Government can be mulcted as compensation for the death or injury of any individual by a railway accident. If a man is killed by a railway accident, the amount which a jury award as compensation to his widow and children is assessed, and necessarily so, upon the basis of the income which he earned at the time of his death. If an accident happened to a train in which a number of professional gentlemen, earning incomes of from £2,000 to £4,000 per annum each, were coming to town or returning to their homes, the amount of compensation which the Government would have to pay might be something very serious indeed. The Premier ought to consider the desirability of providing that in future a maximum should be fixed, beyond which the Government would not be liable to pay compensation in any case, which might induce persons travelling by railway to adopt the system which is in operation in other countries of taking out insurance tickets entitling them to certain compensation in case of injury, or their representatives to compensation in case of death. If something of the kind is not done, and the responsibility of the Government remains unlimited, we may at any time have an accident which will constitute a tremendous drain on the Treasury. There have been discussions in the House as to sending to England for railway engines and carriages. A number of the carriages have since arrived, and upon the quality of them the future safety of life and limb will to some extent depend. I am informed by experts that the material of these carriages is excellent, but that their workmanship is extremely defective—that no such workmanship would have been permitted in carriages made by any Australian firm. This is a matter well worth inquiring into both by the Minister of Railways and by the Tariff Commission. Before concluding my remarks I desire to say that I think it is most important that in conducting our debates we should endeavour to preserve not only something like honesty, but also something like accuracy. It is too much the custom for an honorable member to give a flat denial to the statement of another honorable member, who in his turn denies the statement imputed to him, and this is followed by an appeal to Hansard. No one can possibly accuse the Premier of wilfully distorting a statement made by any honorable member, but the honorable gentleman fell into a serious mistake last night, to which I think it advisable to call his attention. In alluding to some remarks made by the honorable member for West Melbourne (Sir C. Mac Mahon) the previous Thursday, the Premier said—

"I have now got Hansard, and, whatever the honorable member intended to say, this is what he did say:

"That abuse, I believe, has taken place almost daily. Have heard of the Minister of Railways issuing a circular to the Opposition saying that there were certain vacancies amongst the employees of the Railway department, and asking them to nominate some persons to fill the vacancies.

"Mr. Bent.-That is not true! There, then, is what the honorable member said, and the denial of the Minister of Railways, which the honorable member is bound to accept."

I have referred to Hansard to-day, and I find the quotation made by the Premier was not from the speech of the honorable member for West Melbourne, but from the speech of the honorable member for Rodney (Mr. Gillies). Sir B. O'Loghlen.—The honorable member is perfectly right. I made a mistake in saying that the extract which I read was from the speech of the honorable member for West Melbourne (Sir C. Mac Mahon), but if he looks at the speech of the honorable member for West Melbourne he will see that that honorable member referred to the statement of the honorable member for Rodney (Mr. Gillies) in support of what he himself said.

Mr. Deakin.—No doubt the Premier was under a misapprehension when he stated that the extract which he read was from the speech of the honorable member for West Melbourne, but the hearing of that misapprehension is somewhat serious. It is evident that the Premier's denial last night related solely to the word "circular." The denial was that the Minister of Railways had sent a "circular" to the Opposition. The Premier went on to say—

"The Minister of Railways may have directed a letter to be sent to any honorable member who had applied for a vacancy intimating that one had occurred, and asking him to nominate the man on whose behalf he had applied, but the charge is that he sent a circular to the Opposition. The two things are absolutely distinct as night from day."

I then interjected—"A distinction without a difference." However, the issue of a "circular" was denied, but it was admitted that a "letter" might have been sent. This is how the case stood last night; but it was very different when the matter was first mentioned by the honorable member for Rodney. On that occasion the honorable member remarked—

Mr. Deakin.
"I have heard of the Minister of Railways issuing a circular to the Opposition, saying that there are certain vacancies amongst the employees of the Railway department, and asking them to nominate some persons to fill the vacancies."

The Minister of Railways interjected—

"That is not true," and subsequently the honorable gentleman said—

"I cannot allow the statement of the honorable member for Rodney to go uncontradicted. I beg to inform the honorable member that no circular of the kind has been sent to members on either one side of the House or the other."

The honorable member for Rodney asked—

"Has no intimation of the kind been given?"

To this question the Minister of Railways replied—

"Nor has any intimation of the character referred to been given to any honorable member."

In the first instance, therefore, the denial was not simply that there was no circular or letter, but that there was not even an "intimation" of the kind alleged.

Mr. BENT.—I know very well who has been telling this little story. As far back as September, 1881, a clerk in the office, without my instructions, did send circulars or letters to certain members of the House. The statement of the honorable member for Rodney (Mr. Gillies) was that I was using patronage for the purpose of placating the members of the Opposition; indeed, he said that circulars were sent to the Opposition for a purpose, and no amount of legal talk will get over the way it was put. The same thing was said by the honorable member for West Melbourne (Sir C. Mac Mahon). This is the simple story. A gentleman named Kelleher, in September, 1881, sent letters to W. Anderson, Sir C. Mac Mahon, Simon Fraser, J. M. Barr, Henry Bell, Graham Berry, J. Bosisto, R. Bowman, D. Brophy, E. H. Cameron, R. Clark, A. T. Clark, D. M. Davies, A. Deakin, and G. R. Finelam.

Mr. MIRAMS.—What was the circular?

Mr. BENT.—Here is a copy of one of the letters:

"Sir,—I am directed by the Commissioner to inform you that there is a vacancy for a clerk in this department at 5s. a day, and that he approves of your being invited to nominate a candidate possessed of the qualifications as per margin (good writer, not over 18 years of age, healthy, and must have passed the Civil Service examination) to fill the situation. May I, therefore, request that you will be good enough to instruct the person whom you may choose to call at this office as soon as possible, with this communication endorsed by you?"

Mr. BERRY.—Is not that exactly the charge that was made?

Mr. BENT.—It is not the charge; and these letters, as I have stated, were not sent by my authority. ("Oh!") I repeat the statement; they were not sent by my authority.

Mr. MUNRO.—Did you dismiss the clerk for sending them without your authority?

Major SMITH.—What, all these letters sent out without authority! Tell that to the horse marines. It won't do for Parliament.

Mr. BENT.—There is a list of all the members of the Assembly. When I heard of what was being done, I stopped it.

Mr. PATTERSON.—Did the clerk do it all on his own motion?

Mr. BENT.—Yes; it was not done by my authority. When I heard of it, I stopped it. The same course was being followed that was pursued when the honorable member for Castlemaine (Mr. Patterson) was Minister of Railways. It was the honorable member's arrangement that was being carried out.

Mr. PATTERSON.—No, no.

Mr. BENT.—It must have been so. I had not given any directions about it. Here is a list showing the names of every member of the Assembly and Council.

Mr. PATTERSON.—Nothing of the kind occurred in my time.

Mr. BENT.—What is the use of talking like that? This is the list (exhibiting a document), and anybody can look at it.

Mr. MIRAMS.—Were all these letters sent out with reference to one billet of 5s. a day?

Mr. BENT.—I see that the Hon. Graham Berry was one of the gentlemen to whom a letter was addressed. His was a 5s. a day appointment. Sir Charles Mac Mahon was to nominate a day labourer, who was to receive 3s. or 4s. a day. As soon as I heard of the thing I stopped it.

Mr. DEAKIN.—I think that the information is entirely satisfactory. (Laughter.) We have drawn the badger at last, and have proved the truth of the assertion which was made in the first instance by the honorable member for Rodney, who no doubt thought that the practice was still going on. It is now quite clear that there was some basis for the remarks of the honorable member and for those of the honorable member for West Melbourne. I don't think we need say anything more about the subject, but there is another matter to which I will refer, namely, the report in the Argus of a speech made by the Minister of Railways at Castlemaine, about three years ago, in which he characterized the honorable member for Stawell as a "political rogue"
and his brake as a "job." It is most un-
fortunate that the Minister should have
brought himself into conflict with a news-
paper which is supporting him or three-
fourths supporting him. It is unfortunate
that he should absolutely deny the credibility
of a report which appeared in its columns—not
of a word or a sentence, but of the whole sense
and sentiment of a paragraph of the report.
I think it is unfortunate for the Minister
that he should have contradicted this re-
port, which has been allowed to go unchal-
 lenged for three years, and which is couched
in terms so characteristic of the honorable
member, and bears the impress of his utter-
ance so distinctly, that if one found the ex-
tract in the wilds of Arabia he would at
once say—"This is Mr. Bent's." I do not
want to say anything unfair of the Minister
of Railways. Does he still deny the report?
Mr. BENT.—I will not deny the report.

Mr. DEAKIN.—Does the Minister ob-
ject to my proceeding on the assumption
that the report is correct? "Silence gives
consent." The report is now admitted to be
correct, and yet its authenticity was denied
last evening. That report appeared in the
Argus, and the Minister thought that, by
denying the report in the Argus, he would
escape scot-free, and would once more be
able to mislead the members of this House.
But the honorable gentleman reckoned
without his host, and I would recommend
to him, the next time he ventures to give a
direct contradiction in the House, to take
care that he has not more than one authority
against him. In the Mount Alexander Mail
of Thursday, January 8, 1880, I find the
following report of the portion of the honor-
able gentleman's speech referring to the
honorable member for Stawell. A voice in
the crowd asked—"What about Jack
Woods?" whereupon the honorable gentle-
man is reported to have said—

"He would tell them about Jack Woods. He (Mr.
Bent) took his part in the House when Mr. Woods
did not deserve it. His railway expenditure was
most extravagant, and he did more to increase
the expenditure than any other man. The brake
was a job. He robbed the country with it, and
used the funds of the country to perfect it. He
was a political rogue. (Laughter.) Until a new
Minister was got in the Railway department the
people would not learn the robbery that has gone
on. He said nothing but what he could prove,
and if he could not he would resign his seat for
Brighton, which he valued more highly than
anything on earth."

Except, he might have added, his veracity.
I trust that the next time the honorable
gentleman ventures to give an explicit denial
to a journal like the Argus, or to any other,
he will take care that a local paper does not
rise up to refute him as this one does.

Dr. MADDEN.—Sir, during the whole
of this session I have been persuaded that
the most practical patriotism any honor-
able member could show would be by holding his
tongue, and adding nothing to the ever-
increasing flood of talk which has been
putting a stop to the practical business of
the country. But, having been in the House
for some years, I have learned to "smell a
rat." in politics, and some special features
which have developed during the last few
hours induce me to offer a few remarks to
some honorable members who have been
colleagues of my own, and members of the
same party with me; and I venture to
think that the remarks I intend to make
will be received by them in the same spirit
in which I offer them. But first let me say a
few words in relation to what is the promi-
"feature of this want of confidence debate.
It has been asserted by the honorable mem-
ber for North Melbourne (Mr. Munro), and
re-asserted by other honorable members,
that the public abroad are burning for an
inquiry into the late accident, and that a
committee should be at once appointed by
ballot, and should make an inquiry of the
most exhaustive character. Now I have
had opportunities of going abroad and
mixing with people of all shades of opinion,
and I an satisfied that the public do not
want an inquiry by a committee of this
House. In fact, it is the very last thing
they desire, and if the Premier, in answer to
the motion of the honorable member for
North Melbourne, had come down to the
House with a Bill such as I would like to
see him submit, I venture to say that the
public would gladly agree that no inquiry
should take place—that all the past should
be forgiven, in the hope that for the future
there should be safety on the public railways.
What is our experience of this absurd non-
sense of inquiries? Why, have we not been
groaning under inquiries, and what is the
result of any one of them? We have had the
Closed Roads Commission, which travelled
about the country spending money lavishly
in every possible direction, and ultimately
presented to the House a voluminous report,
which no one ever looked at, and which the
Government of the day at once consigned
to the waste-paper basket. We have had the
Lands Commission, which, after an
exorbitant waste of the public funds, had a
precisely similar result, and we have now
the Police Commission, the only public in-
terest displayed in regard to which is the
desire that it shall be shut up as quickly as possible. It has been spending money in the old way, calling one day a lot of interested witnesses to be contradicted next day by another lot of equally unreliable evidence, and its result will be exactly similar to that of its predecessors. The commissioners will be thanked for closing their labours, and their report will be placed in the waste-paper basket.

Mr. LONGMORE.—What about the Education Commission?

Dr. MADDEN.—Very likely it will eventuate just like the rest. My experience of inquiries has been that they simply serve to tide over an urgent matter until the public go to sleep. Supposing this particular inquiry is held, what will be the result? Does any honorable member honestly believe that it would bear any good fruit? Each member of the committee would probably consider it his duty to defend the cause of a particular officer who was his friend; the House and the Government would struggle to defend the cases of particular men; every one would be smoothing down every one else at the end of three months; and the public, pursuing their own business, would have forgotten all about the catastrophe, and would go to sleep until the next accident occurred. Any one who goes about among the community will easily learn that what the public want is not an inquiry, but the translation of the railways from the control of politicians, subject to political influence, into the hands of a commission of persons who would be free from the trammels of such influence. It may happen that this Parliament, pretty well spent as it is, will not give effect to that desire, and possibly the next Parliament may not do so either; but there is no doubt that the public, having started on the right road, will not stop until they find their railways lodged in the security of such a commission. The Bill which the Government of which I was a member introduced in this House some years ago may be defective in some respects, but I venture to say that it lays down the true and only lines for the management of the railways which will afford safety to the public. That that Bill in substance will become law within a very limited period is pretty certain, because I am satisfied that that is the system the public will have, and only that. On the other hand, what is the object with which this inquiry is proposed? One cannot be a few years in this House without becoming rather suspicious, and I confess that I entertain a certain suspicion on this point which I think is not very far out. No one knows better than the astute gentleman who has proposed this motion the utter uselessness of the inquiry for the professed purpose for which it is asked. The real purpose, however, is intelligible enough, and in that aspect the motion does credit to the honorable member's astuteness. We know that members of the Opposition who are supporting this motion have avowed their hostility to any proposal to remove the control of the Railway department from a political head in this House. The honorable member for Geelong (Mr. Berry), the leader of the Opposition, in no way disguised his determination last night to oppose any such proposition.

Mr. BERRY.—I did not say anything of the kind.

Dr. MADDEN.—I myself heard him say that the conservative party initiated this scheme, and that he reprobated the idea because that party desired to place the railways in conservative hands——

Mr. BERRY.—That is what I opposed.

Dr. MADDEN.—And thereby defeat the influence and control which the great liberal party would have over them in this House.

Mr. BERRY.—I said nothing of the sort.

Dr. MADDEN.—I may perhaps have misunderstood the honorable member, but I certainly gathered sufficient from what was said by him, and other honorable members on the same side, to know that they are quite determined to resist, if they possibly can, the present desire of the public to remove the railways from political control. And certainly there could be no more admirable plan for shunting that reform than the appointment of a committee of inquiry, such as is proposed in this motion. The public will only keep warm on the subject for a limited period, and, if an inquiry can be extended over a few months, by that time the whole affair will have passed over, and the committee will end in nothing, and the great liberal party will be saved from having the railways committed to conservative and capable hands, instead of being managed in such a fashion as to smash up Her Majesty's subjects.

Mr. BERRY.—It is the conservatives who are doing that.

Major SMITH.—Your own Government.

Dr. MADDEN.—I am afraid my friend the Major is off his legs to-night. He has been his old self again this evening for the first time for a very long period. I have kept my eye upon him, and I have observed
that he has been flying round the House in the most agile fashion, interviewing a great number of members on both sides. In fact, he is "the Major" once again. In reply to the honorable member's interjection, I may say that the present Government are not my Government, nor are they, as any one can see, a conservative Government. For the sake of the business of this country, and for the sake of the prosperity and rest which it is now enjoying, I am one of those honorable members who are anxious to keep the present Government in office, and to keep out a Government which will bring about a different result.

Major SMITH.—You are responsible for their blunders.

Dr. MADDEN.—I dare say I am, but I would be very sorry to be responsible for the blunders of the honorable member at any time when he was a Minister. To attribute to any Government the calamity which has occurred during the last few days is simply a childish suggestion which cannot be sustained by argument. No honorable member will venture to say that the late accident is attributable in any sense to any one of the Ministers who are now in office. It is one of those accidents which would have occurred no matter what Government were in power. But what I want to point out is that the inquiry proposed, instead of benefiting the public in any way, would merely have the effect of delaying still further the only remedy the public can obtain for such evils as they have recently experienced on the railways. There is also another matter to which I wish to draw attention. The present moment seems to have been seized upon by certain honorable members in order to again endeavour to bring about that coalition which has been the main object and sustaining hope of the honorable and gallant Major and certain other gentlemen around him. From the radiant face of the Major and the way in which he has whipped up the battalions, I have been able to see that there is something afoot. I have very little interest in the gallant Major, and as long as he is not on the Treasury bench I do not care much where he is; but there are other honorable members in this House in whom I do take a very great deal of interest, and there is a party in which I take a great deal more. I desire to ask those honorable members to consider well whether this motion involves anything of such importance as should induce them to take the step they may possibly be contemplating. They are gentlemen to whom their party look; they are men who, so far, have borne a name for integrity and rectitude of purpose in this House, and I certainly would suggest to them—

Mr. BERRY.—Is that a threat?

Dr. MADDEN.—Certainly not. Far be it from me to threaten. I simply wish to point out the inconsistency of those honorable members taking such a course as that to which I am now referring. There was a time, some years ago, when desperate causes seemed to demand a desperate remedy, and the people then might perhaps have pardoned that which, if resorted to now, would be condemned by the people on either side as nothing short of a profligate abandonment of principle. With the consent of the people there can be no coalition at present between parties in this House. There is nothing which demands it, and the doing of it would be a thing which no pretence of duty to the country could possibly cover. And now let me point out to the other side a matter which they seem to have forgotten in the pursuit of that coalition to which they have devoted themselves with such energy during the last twenty-four hours. The honorable member for Castlemaine (Mr. Patterson) and one or two other honorable members on the opposition side of the House have been endeaouring, with an energy worthy of a better cause, to whip up a sectarian feeling in the country which would afford, in their opinion, valuable assistance to their party at the forthcoming elections.

Mr. PATTERSON.—Your party is always whipped up—always ready.

Dr. MADDEN.—I do not want to offend the honorable member for Castlemaine, but merely to give him something to think over for the next hour or two. He has been trying to bring about this result for electioneering purposes, and has been declaring that this is a mere Catholic Government—a lot of fellows who want to use the Catholic vote to the destruction of all sound Protestantism in this country.

Mr. PATTERSON.—So they do. A Catholic organization.

Dr. MADDEN.—Very good. Accepting to the fullest extent the honorable member's cultivated opinion on this subject, I would ask him how will he shape before the ardent Protestants of this country, when he goes before them sandwiched between conservatives from this side of the House and the honorable member for Belfast—the brigadier of the Catholic party? The honorable member knows that this motion cannot be carried, and the coalition cannot be worked out,
without Sir John. I know the honorable member for Castlemaine is a smart man, but I look forward with some little curiosity to learn how he is going to work in that factor.

Mr. PATTERSON.—It is not wanted to be worked in.

Dr. MADDEN.—The honorable member for Castlemaine says he does not want to work that factor in, but the terrible misfortune for him is that that factor will be worked in. I can assure him that he has that weight upon his back now, and he may not be too late to go back, but if he goes forward he will have to carry it. He can certainly throw it off at the post, but he cannot win if he does.

An Honorable Member.—Is that one of your astute mores?

Dr. MADDEN.—I do not move in the House at all. I simply sit still and endeavour to do that which seems for the time being the best thing for the politics which my party represents and advocates. I desire to see the work of the country done, and there is a great deal of work which should be done before the elections take place, and I support the present Government not because I believe in the politics of all its members—I differ from the Government on many points—but because I consider that to put them off the Treasury bench at the present moment would simply have the effect of raising a turmoil in the country and of disturbing the state of rest and quiet into which the colony has been brought by the neutrality of action of the present Administration. I think we have had quite enough experience in the past of these party trials of strength to understand—and the House implicitly be­lieved him—that I had been cognizant of the injustice of believing that one had been sent to myself.

Sir C. MAC MAHON.—The Minister of Railways states that a letter was sent to me of the same nature as to every one else—namely, asking me to nominate some unknown person for a certain position. I asked the Premier and the Minister of Railways to allow me to look at the papers from which the latter quoted to-night, and the reply was that they could not do so, as the papers had been handed to the press. I then pointed out that it was scarcely fair to honorable members that their names should appear in the press in connexion with a matter they had not first an opportunity of examining into themselves. The Minister of Railways then obtained the papers from the press, including the list which he read to the House of members to whom the circular had been sent. Yet, when I have an opportunity of examining the list I find that my name does not appear in it.
And what is the pitiful excuse given for this? That, although my name does not appear in the list showing that I had got one of these circulars, it appears in another return giving the names of persons who had recommended candidates for humble offices. And, by the way, a return covering only a couple of sheets of paper is presented as if those were all the appointments made in 1881. This is the way that the railway officials are made use of to compile returns to defeat the investigations of this House. As I have said, there is a return attached to these papers showing certain appointments to humble offices, and giving the name of the recommender if he happens to be a Member of Parliament, keeping back all other names.

Mr. BENT.—There are other names given too.

Sir C. MAC MAHON.—I did not see them, but I will not dispute that point. I only saw that under the head of “by whom recommended” my name appeared in connexion with the recommendation of an assistant or cleaner in the locomotive department. No doubt that is true. Unfortunately, I have been compelled over and over again to recommend people for appointments in the public service, many of whom I know very little about. It may be asked how this happens, considering the position I have taken up with regard to political appointments? It is well known, however, that honorable members, and particularly those representing city constituencies, are placed in a very unpleasant position. As soon as a man makes an application for employment to one of the public departments, he is told—I don’t say by the Minister, or even by the Minister’s confidential clerk, but he is told by some one—that it is utterly useless applying unless he brings a recommendation or cleaner in the locomotive department. To such an extent has this gone that we both now refrain from recommending any one, and have to bear the onus of that course. I rose, however, to take part in this debate, but to point out to the House and the public that the statement made by the Minister of Railways that conspicuous among the names in the return of members to whom the circular was sent my name appears is incorrect.

Mr. BENT.—So it does.

Sir C. MAC MAHON.—Will the honorable gentleman produce the paper? I assert that, when the honorable gentleman produced the paper to me to-night, my name was not on it.

Mr. BENT.—It appears twice, and you saw it.

Sir C. MAC MAHON.—The Minister of Railways is again trying to equivocate.

Mr. BENT.—I rise to a point of order. Is the honorable member in order in saying that I equivocated?

The SPEAKER.—The word is unparliamentary, but the Minister of Railways has no right to provoke retorts by improperly interjecting remarks.

Sir C. MAC MAHON.—Mr. Speaker, as I do not wish to call for your interference, I withdraw the word, but I repeat that my name does not appear in the list of members to whom a circular was sent, and which list I saw to-night.

Mr. BENT.—The charge made the other night by the honorable member for Rodney (Mr. Gillies) was to the effect that I had, in
my position as Minister of Railways, been in the habit of sending certain circulars to the Opposition, and it was followed by the honorable member for West Melbourne (Sir C. Mac Mahon) declaring that I was also in the habit of going over to the opposition benches for the purpose of obtaining the votes of the honorable members there. I never denied that this Government took upon itself the patronage of the Railway department. It has dispensed it all along, and it has been fair all round. I said further that up to September, 1881, letters—not circulars—were sent to members of the Legislature, asking them to fill up vacancies in the Railway department. A list of members was made out, and it included, I think, every member of both Houses. Here is the list. It was not prepared by me.

Sir C. MAC MAHON.—Read it.

Mr. BENT.—It is a list of the honorable members generally who had a right to nominate to vacancies. It shows that the object was not to send to members of the Opposition only.

An Honorable Member.—Is it a list of honorable members who received letters?

Mr. BENT.—Not at all. It is only a list of Members of Parliament. Letters were sent to about fifteen of the members mentioned, no matter whether they were or were not in opposition. I repeat that in the list of nominations the name of the honorable member for West Melbourne appears twice.

Sir C. MAC MAHON.—I assert that the honorable member showed me a list of the members to whom circulars were sent, and he admitted that my name was not in it.

Mr. LANGRIDGE.—The list the Minister of Railways has just laid on the table is simply a list of the members of both Houses.

Sir C. MAC MAHON.—I ask the Minister of Railways to read the list of the members to whom circulars were addressed—the list he showed me in the corridor.

Mr. BENT.—The list is just what I have stated it to be.

Sir C. MAC MAHON.—Read it out.

Mr. BENT.—I will try to make myself understood. I stated that the officers of the Railway department prepared a list of the members of both Houses, and letters, not circulars, were sent to some of them. For instance, one was addressed to the honorable member for Geelong (Mr. Berry), and another to the honorable member for Rodney (Mr. Fraser).

Mr. MUNRO.—You said one was addressed to the honorable member for West Melbourne (Sir C. Mac Mahon).

Mr. BENT.—I then said that the name of the honorable member for West Melbourne was in the list—that is, in the list of nominations.

Sir C. MAC MAHON.—I must contradict the Minister of Railways again. The list he showed me has about fifteen names in it, and my name is not mentioned.

Mr. BENT.—The honorable member’s name appears in the list of nominations. Here is an item—“M. Donaghan,” recommended by “Hon. Sir Charles Mac Mahon, M.P.”

Sir C. MAC MAHON.—But that is not the list the honorable gentleman showed me, and he knows it.

Mr. BERRY.—This is rather a serious matter. It appears as though the Minister of Railways, in reading a set of names prepared by the officers of his department, interpolated the name of the honorable member for West Melbourne (Sir C. Mac Mahon), which is not in the list. The Minister now talks as though he had referred to a return, but he never referred to a return at all. Every honorable member who heard the Minister speak believed that the name of the honorable member for West Melbourne appeared in the list of the members to whom circulars had been sent. It does not matter much in one sense whether the name was or was not in the list the Minister had in his hand as he spoke—whether he read the name or merely mentioned it—but the fact is of the greatest importance as a test of the Minister’s truthfulness.

Sir B. O’LOGHLEN.—The honorable member for Geelong (Mr. Berry) is interpolating his own view of the transaction in a partisan way.

Mr. BENT.—I say let us have no warmth. The point is that the paper I was reading from was together with others. I was mentioning the members to whom letters had been sent. I think the honorable member for Geelong (Mr. Berry) must have made an application.

Mr. BERRY.—No, the letter came without any application whatever.

Mr. BENT.—That the letter was sent without any application is something I do not understand. My statements are fully borne out. I said that I found letters going out and I stopped the system, and I totally denied that the letters were sent to the Opposition only.
Mr. GILLIES.—The honorable gentleman denied something more than that. He said—

"I cannot allow the statement of the honorable member for Rodney (Mr. Gillies) to go uncontradicted. I beg to inform the honorable member that no circular of the kind has been sent to members on either side of the House or the other."

Mr. BENT.—Well, I ask now—Where are the "circulars"? Does the honorable member mean to tell me that a polite note written to him from the Railway department is necessarily a circular?

Mr. MUNRO.—Letters of the same kind sent to a number of honorable members are so many circulars.

Mr. BENT.—The honorable member is making out his own case. Will the honorable members to whom letters were sent read them?

Mr. BERRY.—That is not the point. Did not the Minister of Railways read out the name of the honorable member for West Melbourne as though it was in the list of members to whom letters had been sent?

Sir B. O'LOGHLEN.—The honorable member for Geelong (Mr. Berry) is trying to fix a charge upon the Minister of Railways which is not true. What occurred was that the Minister of Railways had all the papers in his hands together. He read a list of names from one of them, and also mentioned that the name of the honorable member for West Melbourne (Sir C. Mac Mahon) appeared in the list of members who had made nominations.

Mr. BENT.—What I said was that the honorable member for West Melbourne had nominated a labourer.

Mr. BERRY.—No. The Minister said that the honorable member for West Melbourne received a letter asking him to nominate a labourer.

Mr. BENT.—It has been said that the nominations were made only by Members of Parliament, but there are others on the list. I will read one or two. Here is a nomination by Mr. Stutt, and another by Mr. Stoughton. Then comes what I have mentioned before, that is to say the name of "M. Donaghan," and, under the heading "by whom recommended," the name "Hon. Sir Charles Mac Mahon, M.P.," with the date, "21st September, 1881."

Sir C. MAC MAHON.—That was not a nomination at all. It was only a recommendation. My name was not in the list the Minister of Railways showed me in the corridor.

Mr. BENT.—The papers were all pinned together. I unpinned one for the Premier to look at. Another one I showed to the honorable member for West Melbourne in the corridor. My statement in the House was simply that the honorable member for West Melbourne nominated a labourer.

Mr. BERRY.—You said he received a letter asking him to nominate a labourer.

Mr. BENT.—How particular you are about phrases.

Mr. BERRY.—It is a matter of truthfulness.

Mr. BENT.—Let the truth be seen. As a matter of truth, the honorable member for West Melbourne did make this nomination. Here is the paper showing it. That I sent circulars to the Opposition for the purpose of getting their votes, I indignantly deny. As for the Government distributing the patronage of the Railway department, that was part of their policy, and they made the distribution fairly. In reply to the honorable member for West Melbourne's statement that his recommendations were thrown into the waste-paper basket, I ask him to look at the list and he will see his two nominations. He was treated fairly, and so was his colleague. I call upon the honorable member for Geelong (Mr. Berry) to do me the justice of saying whether he or any of his party ever received circulars of the kind spoken of from me. Will any member of the Opposition say he received one?

Mr. MUNRO.—The Opposition deny what you state.

Mr. BENT.—That is the story of the honorable member for North Melbourne (Mr. Munro). I challenge any member of the Opposition to show such a circular. I challenge the Opposition, from their leader all down the line, to show me a circular of the kind described by the honorable member for Rodney (Mr. Gillies), or by the honorable member for West Melbourne (Sir C. Mac Mahon). I repeat that the nominations of the both the honorable members for West Melbourne received every attention.

Sir C. MAC MAHON.—I made a recommendation, not a nomination.

Mr. BENT.—What is the difference?

Sir C. MAC MAHON.—The difference is very great. A nomination under the circumstances now in question would mean, practically, a request that must be complied with, while a recommendation might be refused.

Mr. BENT.—Well, I make the honorable member a present of the difference.
Major SMITH.—I move the adjournment of the debate. Let me say, however, before the question is put, that I think we ought to know where the truth lies between the Minister of Railways and the honorable member for West Melbourne (Sir C. Mac Mahon). I suggest that the Speaker order the Hansard staff to transcribe without delay their notes of the proceedings of the last three-quarters of an hour, so that copies of their report may be in the hands of honorable members early to-morrow evening. Then we shall get at the truth. I hope the Speaker has power to make such an order.

The SPEAKER.—I am afraid it is not within my power to do so. I think, however, the documents produced by the Minister of Railways should be laid on the table, so as to be ready for reference if this unfortunate debate is continued.

Mr. LANGRIDGE.—I wish to say a word or two with respect to the very heated remarks of the honorable member. Let me say, however, that the honorable member did not state a word beyond what occurred. The Premier made some little time ago a remark to the honorable member for Geelong (Mr. Berry). I beg to state that that honorable member did not state a word beyond the exact fact. The House generally was distinctly impressed with the idea that the list of persons to whom circulars or letters were sent included the name of the honorable member for West Melbourne (Sir C. Mac Mahon).

Sir B. O'LOGHLEN.—The honorable member for Collingwood (Mr. Langridge) and other honorable members evidently laboured under a misapprehension. The position of affairs at the time the misapprehension arose can be very easily described. The Minister of Railways had certain papers in his hands which were pinned together. I know that to be the case because I asked him to let me look at one of the papers, and he had to unpin it from the rest in order to hand it to me. Well, the Minister had these papers in his hands when he was speaking about what were called “circulars,” and showing that they were not circulars at all. He explained that certain honorable members had simply been invited to nominate individuals to fill certain vacancies, that being part of the system which he had found going on in the Railway department, and to which he put a stop. He next read out a list of names to show that the honorable members written to included other honorable members than those sitting in opposition; and he then referred to the “nominators,” as he called them, and mentioned that two individuals had been nominated by the honorable member for West Melbourne (Sir C. Mac Mahon).

I can imagine it to be quite possible, from the way the Minister held the documents, that honorable members in opposition thought he was referring to only one paper, whereas he was as a matter of fact referring generally to all of them—the list of all the members of both Houses, the list showing the honorable members who were written to, which he read, and the list showing nominations that had been made. It is easy to see how honorable members opposite fell into an error. The next thing was that the press sent for the papers, and subsequently the honorable member for West Melbourne asked to see them. The Minister of Railways went out to get the papers he had sent to the press, and afterwards he produced them to the honorable member in the corridor. The honorable member said—“Show me my name in the list you read,” and the Minister showed him a list, in which the honorable member’s name did not appear.

Sir C. MAC MAHON.—Perhaps I may be allowed to explain. I will state exactly what occurred. The Minister of Railways read a list to the House of those honorable members to whom letters had been addressed, asking them to nominate persons to vacancies, and in that list I heard my name included. I subsequently went to the Premier and said—“The Minister of Railways read out my name in the list; will you let me see the papers?” The Premier said—“Certainly not.”

Sir B. O'LOGHLEN.—If the honorable member refers to what took place, let him describe it correctly.

Sir C. MAC MAHON.—Not only did the Premier refuse to let me see the papers, but he turned round and threatened me. He said that, if I persisted in what I was doing, he would report me to the Speaker. I told him he could do just what he liked.

Sir B. O'LOGHLEN.—The honorable member should not make statements that are not true.

Sir C. MAC MAHON.—I am stating what is true. Let the House judge between us. I went on to say that I would get the papers in some other way, as I could not understand why my name should be handed to the press in a certain return without my having an opportunity of seeing if the return was correct. When the excitement of the moment was over, the Minister of Railways said—“If you come outside, I will show you the papers.” I went out with him. The next thing was that he went to get the papers from the press, and to tell them not to do anything with them until I had seen...
them. When he had shown me the papers, I said—"Mr. Bent, you have made a great blunder, for my name is not in the list you read." He replied—"Your name appears twice." We looked over the papers, and I saw that my name only appeared in the list of honorable members who had given recommendations. I suppose I need not tell honorable members that I have in my time recommended perhaps hundreds of persons. I have given recommendations to mechanics whom I had employed, old policemen who had been under me, and others, in order that they might get engagements. No doubt, I have given recommendations to occasionally recommend men for employment there. I have, however, always taken care to say not a single word in their favour that I could not most thoroughly substantiate. My name appears on the list alluded to, but only as having recommended. It seems to me that between recommending and nominating there is a very wide difference. A nomination implies an absolute right to nominate, but a recommendation can go no further than the act of recommending. The list in connexion with which my name was read was a list of the members to whom letters had been sent. I said to the Minister of Railways—"My name not being here, you had better go into the House and say you made a mistake, and if you do that I will say nothing." But he asserted that he had made no mistake. I do not think I have anything to add.

Sir B. O'LOGHLEN.—I consider that I am entitled to make a personal explanation. The honorable member for West Melbourne has just accused me of threatening him in the House. I never threatened him. While the Minister of Railways was addressing the House, the honorable member for West Melbourne made use of an offensive expression, which probably neither the Speaker nor the Minister of Railways informed the honorable member for West Melbourne (Sir C. Mac Mahon), proves beyond a doubt that the mistake was unintentionally made. In fact, the Minister of Railways informed the honorable member for West Melbourne (Sir C. Mac Mahon), proves beyond a doubt that the mistake was unintentionally made. In fact, the Minister of Railways answered itself. Therefore I think he would do well to direct the Hansard reporter to read out that part of his notes which refers to this disputed matter. Then we shall know to-night the real state of the case. The Hansard notes will show the exact words used, and reading them to the House will carry conviction to the whole country.

Mr. BOWMAN.—Sir, in looking over the list of those who made recommendations to the Railway department, I find the name of the honorable member for Castlemaine (Mr. Patterson). The name of that honorable gentleman, who, according to his own account, never recommended any one, is down here in black and white. It should be observed that the other list referred to by the Minister of Railways is headed—"List of Members of Parliament to whom letters..."
were forwarded, re employment of labourers." It does not say that circulars were sent. The names are arranged in alphabetical order, and the list does not embrace names with an initial beyond "F." The names of several honorable members, including the honorable member for Geelong (Mr. Berry), who are in the habit of declaring that appointments in the public service should not be made by political influence, but according to merit, figure in the list of recommendations. I find also the names of the honorable member for Rodney (Mr. Gillies) and the honorable member for Kara Kara. The name of the honorable member for Castlemaine appears several times. But the list does not show that any appointment was made on my recommendation. However, I may observe that this is no new practice. It was in force under previous Governments.

I am in possession of circulars from members of the last Government, inviting me to nominate persons for vacancies. If a boy was wanted at the post-offices at Maryborough, Talbot, or Majorca, the fact was communicated to me, with a request that I would name a suitable youth; and several nominations which I made were accepted. The honorable member for Castlemaine, when Postmaster-General, asked me to nominate persons to offices in his department.

Mr. Patterson.—That is contradicted.

Mr. Bowman.—I can produce letters signed by the Deputy Postmaster-General to support what I say. I may mention that during the existence of the last Government I received similar letters from every department of the State.

Mr. Langridge.—That is strictly untrue.

Mr. Bowman.—I may not have received any from the department of Mines; but from every other department I received circulars inviting me to nominate persons to vacancies. Therefore, I say the present Government have done nothing more than the late and preceding Governments did. Then why should they be blamed? I have always looked upon the business as a matter of course, ever since I have been a member of this House; but I never said it was right. On the contrary, I have always advocated that appointments should go by merit. With regard to the present Government, I may mention that I never received a letter, with respect to appointments, from any one of them except the Postmaster-General, who asked me to nominate a boy to some position in a local post-office; and that request was made from motives of economy, because it was cheaper to appoint a local boy than to send one from Melbourne. If a charge in connexion with this matter can be fairly laid against the present Government, it can be laid in a tenfold greater degree against the late Government.

Mr. Deakin.—Mr. Speaker, I have peculiar reasons for having a positive opinion on this question. Before the House met, I was conversing with the honorable member for West Melbourne (Sir C. MacMahon), who expressed his indignation at the distribution of the circulars of which mention has been made, and he named the persons from whom he received information on the subject. When the list of members who had letters sent to them was read by the Minister of Railways I was listening attentively, and I can distinctly and positively declare that among the names read out was that of the honorable member for West Melbourne. In fact, I am prepared to make an affidavit on the subject.

Mr. L. L. Smith.—Oh! I believe your word.

Mr. Deakin.—On hearing that particular name, I was completely taken aback; I could scarcely believe my ears; and instantly the suspicion was aroused in my mind that the honorable member for West Melbourne, in his conversation with me, concealed the fact that he had received one of the very letters about which he professed to be so indignant. And here I would inform the Premier that it is very strange that, after the production of papers making an extraordinary series of disclosures, those papers, instead of being laid on the table, are sent out of the House, and a sight of them is refused to honorable members.

Mr. Bent.—It is the usual custom, after a Minister has read or quoted from papers, for the documents to be handed to the press. Nobody knows that better than the honorable member for West Bourke (Mr. Deakin).

Mr. Deakin.—The other night there was a long debate about the laying on the table of letters which are read by honorable members in the course of their speeches; and this reminds me of the fact that after giving two distinct pledges, in answer to questions put by myself in this House about a month ago, as to whether the Kensington-hill papers would be the property of the House, the Minister of Railways put them in his pocket, and, when I followed him to the Ministerial room, he refused to let me look at them. The treatment which the
honorable member for West Melbourne has received is not half so bad as the treatment I received, but it is another evidence of the way in which papers are dealt with. The whole question now at issue turns upon what has been properly termed the interpolation of the honorable member for West Melbourne's name in the list read by the Minister of Railways, and the Minister cannot possibly do justice to himself unless he apologizes to the House for having, by some accidental means, made improper use of the honorable member for West Melbourne's name.

Mr. ZOX.—I don't know whether the honorable member for West Melbourne (Sir C. MacMahon) desires an apology; but some honorable members of the Opposition appear desirous of making some little political capital out of the present complication.

Mr. DEAKIN.—Shame.

Mr. ZOX.—The honorable member for West Melbourne is the custodian of his own honour. I don't know any honorable member more tenacious of his honour, and if he thought for one moment that he had been unjustifiably assailed, or that the explanation was not sufficient——

Mr. DEAKIN.—He said it was not.

Mr. ZOX.—He would have insisted upon an apology. I am not one of those Members of Parliament who have received circulars asking them to nominate individuals for appointments; and I will add, in conclusion, that better reasons could not be adduced for the abolition of patronage than the speeches we have heard on this motion for adjournment.

Mr. L. L. SMITH.—I would like to show the way in which the Minister of Railways acts when he addresses the House with papers in his hand. He first reads from one document, and then from another, and this being done rapidly, he is apt to be under the impression that he is reading from one document when he is absolutely reading from the other. In that way, I presume, the mistake about the name of the honorable member for West Melbourne (Sir C. MacMahon) was made this evening. In view of this probability, is it not terrible that honorable members should so drift into personalities that they should be trying all they possibly can to make out one another to be misinterpreters of the truth, or, in plain language, liars? I don't wish to accuse one side more than the other, but what has transpired to-night is enough to make me subscribe to the opinion which has been expressed by more than one honorable member that it is time for this House to go about its business.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until the following day.

The House adjourned at thirty-five minutes past eleven o'clock.

LEGISLATIVE ASSEMBLY.
Thursday, December 14, 1882.

RABBITS SUPPRESSION ACT.
Mr. ANDERSON asked the Minister of Lands whether he would take steps to have the Rabbits Suppression Act, which would expire on the 31st inst., continued?

Mr. W. MADDEN said the Government would introduce a measure to continue the Act.

READING DOCUMENTS IN DEBATE.
Mr. HALL said he desired to call the Speaker's attention to a matter of privilege. The previous night the Premier read a document, which must be regarded either as a private or a public document. If it was a public document, it ought to have been laid on the table of the House for the inspection of any honorable member who desired to peruse it. The honorable member for West Melbourne (Sir C. MacMahon) stated that the Premier refused to allow him to see it. A few nights ago, when he (Mr. Hall) read certain letters, the Premier was very particular in demanding that they should be laid on the table of the House, and the Speaker ruled that they ought to be placed on the table. The present was certainly a case in which the document read should be placed on the table, and his object in calling attention to the matter was that the ruling of the Speaker might be thoroughly maintained. He could quote several authorities in support of his contention that the Premier had no right, after reading a public document, to refuse to allow
an honorable member to see it. In the reports of the debates in the House of Commons in 1857 he found the following:

"Mr. Disraeli said—'But it was quite monstrous to suppose that a Minister should rise in his place, and, on an occasion like the present, make an important statement from a document not on the table of the House, and say it was private.'"

On the 7th July, 1864, the Speaker of the House of Commons, referring to a paper read by a Minister, said—

"The despatches should be laid on the table before the honorable gentleman can quote from them."

In March, 1808, Mr. Adam, in speaking of the law of Parliament relating to official communications, said—

"He should now endeavour to show that the right hon. the Secretary of State, by reading extracts from official papers not before the House, in the course of the debate, had been acting as disorderly as if he had introduced His Majesty's name for the purpose of influencing the decision of the House, than which it was unnecessary for him to state nothing could be more irregular. In support of this doctrine he appealed to the authority of Mr. Hatsell, and of Mr. Speaker Onslow; and the conclusion he drew from it was this—That the House never cause to a decision on any evidence of which it was not in the power of any individual member of the House to compel the reading, either long or short—to use the technical term; and that any member who presumed of his own accord to read official documents which were not before the House was guilty of a flagrant violation of its forms of proceeding, and an infraction of the law of Parliament."

In May's Parliamentary Practice it was laid down that—

"A Minister of the Crown is not at liberty to read or quote from a despatch or other State paper not before the House unless he be prepared to lay it upon the table. It has also been admitted that a document which has been cited ought to be laid upon the table of the House, if it can be done without injury to the public interest."

He would ask the Speaker if the case of the previous night was not somewhat similar to the one which occurred a few nights ago, in which he (Mr. Hall) was concerned, and whether the Premier was not trifling with the House when he refused to allow the honorable member for West Melbourne to see the document which had been read?

The SPEAKER.—The Minister of Railways is the Minister who reads the document, and he afterwards laid it on the table.

Mr. HALL remarked that the Premier was the Minister who had possession of the document when the honorable member for West Melbourne asked for it, and the honorable gentleman refused to allow him to see it.

The SPEAKER.—All the cases cited by the honorable member simply go to show that it is the duty of a Minister who reads a document to lay it on the table. In this case the Minister of Railways read certain documents, and afterwards placed them on the table, thereby complying with the rule of Parliament. The documents, I believe, are now on the table.

**RAILWAYS MANAGEMENT BILL.**

Mr. WALKER said he desired to ask the Premier a question relating to public business. A week ago the honorable gentleman stated that it was the intention of the Government to take the second reading of the Railways Management Bill as soon as possible, but since then he had intimated that, prior to the second reading, they would probably propose the appointment of a select committee to inquire into the best system of working the Railway department, with the view of utilizing the information gained by the inquiry in the preparation of the Bill. He begged to ask the Premier whether the Government proposed to adhere to their original intention, or to have an inquiry made by a select committee before proceeding with the Bill? The honorable gentleman's answer might have an effect on the vote which he (Mr. Walker) would give on the motion of the honorable member for North Melbourne (Mr. Munro), and possibly on the votes of other honorable members.

Sir B. O'LOGHLEN said he thought the honorable member was rather premature in asking the question. He was also of opinion that it would be unwise for the Government to attempt to influence the vote of any honorable member on the motion of the honorable member for North Melbourne (Mr. Munro). What the Government stated was that they proposed to circulate the Railways Management Bill next Tuesday. (Mr. Kerferd—"You said after the debate on Mr. Munro's motion was over.") They proposed to circulate it as soon as the debate on the motion of the honorable member for North Melbourne (Mr. Munro) was finished, and Tuesday was mentioned as the day on which the measure would probably be in the hands of honorable members. He, however, now doubted whether the Government could circulate it by Tuesday. His own feeling was that it would be decidedly advisable that further information should be sought upon the subject of railway management before the Bill was circulated. (Mr. Walker—"By means of a select committee?"") He had already mentioned to the House that the Government were willing that a select committee should be appointed to inquire into the matter, and he suggested
that it would be advisable to place on the committee some of the oldest members of the House, and members who had been connected with the Railway department. However, as to the question of whether the Bill should be dealt with first, or the select committee appointed first, he would announce the decision of the Government after the debate on the motion of the honorable member for North Melbourne was over.

PERSONAL EXPLANATION.

Mr. PATTERSON said he had looked over the document produced by the Minister of Railways the previous night, showing the list of honorable members who had recommended persons for employment in the Railway department, and he found that he (Mr. Patterson) was set down as having recommended a man named T. Maher. He would like the original papers from which that information was obtained to be produced. Since he left the Railway department he had not been asked to nominate any person for an appointment, nor did he believe that any one had been appointed on his recommendation. When a petition was sent to him from his district with reference to employment in the Railway department he forwarded it to the department in the regular way, but he believed that was the utmost extent of his interference.

MINING DISASTER AT CRESWICK.

Mr. R. CLARK asked the Minister of Mines whether he would give instructions to the officers of his department to see that all operations in the New Australasian mine at Creswick were suspended until the coroner's inquest on the victims of the recent disaster had closed?

Mr. BURROWES said he had already given instructions of the kind indicated. He begged to add that he had just received a telegram from Sandhurst, intimating that, at a public meeting held at the Mining Exchange in that city, the sum of £500 had been collected towards the relief of the widows and orphans of the men whose lives had been sacrificed.

Major SMITH read a telegram which he had received from the Ballarat Miners' Association, stating that great dissatisfaction existed amongst the miners at Creswick and friends of the deceased at the composition of the jury empanelled to hold the inquest on the bodies of the deceased, and suggesting that it should be altered so that half the jury would consist of miners who practically understood underground mining works. He begged to ask the Attorney-General if any steps could be taken to meet the wishes of the miners in this respect?

Sir B. O'LOGHLEN stated that a similar telegram had been received by the Minister of Mines, who had telegraphed back that it was not possible to interfere with the composition of the jury, but that the Government would be represented at the inquest by counsel, to watch the proceedings carefully.

RAILWAY MANAGEMENT.

COLLISION AT HAWTHORN.

The debate on Mr. Muir's motion for a select committee to inquire into "the management and working of the Railway department, and specially to report on the whole circumstances relating to the recent disastrous occurrences at Hawthorn," and on Sir Bryan O'Loghlen's amendment for the previous question (adjourned from the preceding night), was resumed.

Major SMITH.—Mr. Speaker, I regret that the honorable member for Sandridge thought proper, last night, to attack me and one of my late colleagues who is not now in his place. The honorable member also went out of his way to divide with the honorable member for Warrnambool the honour of acting as a sort of nurse to the Government. He took a considerable amount of credit to himself for supporting the Government on patriotic grounds, but perhaps there are somewhat nearer grounds than patriotic ones which induce him to support the Government. The honorable member likewise spoke of some extraordinary coalition between the Opposition and honorable members sitting in the corners, but the merest tyro knows that whenever a Government are turned out of office the two corners make up the number who eject them. The honorable member also made reference to a particular body, but will any one say that, out of the fifteen members representing one particular class in this House, two will vote with the Opposition against the Government when the division takes place? Everyone knows that, with the exception of one, or two at the most, they will all vote for the Government.

Mr. HUNT.—They do not represent a particular class. You have no right to say that they do.

Major SMITH.—I am only alluding to a statement made by the honorable member for Sandridge that the honorable member for Belfast will vote with the Opposition. I
say that all the rest of the fifteen members will probably vote with the Government.

Mr. HUNT.—What right have you to say that?

Major SMITH.—I had every right to say so, judging by the speeches made by honorable members sitting behind the Government, and by members sitting in the corners. I would remind the honorable member for Kilmore that the Opposition did not ask for the statement made by the honorable member for Sandridge, but it was thrown at them. Leaving this matter, I will call the attention of the Minister of Railways to the fact that last week he delivered a speech, in which he was good enough to say that I had used no language so severe against him as I had against my late colleague, the honorable member for Castlemaine (Mr. Patterson), who was formerly Minister of Railways. There is no truth in that statement. I will ask the indulgence of the House while I state a few facts which are of a somewhat personal character. It will be recollected that when the Beaufort accident occurred, Newman, the driver of the engine, a relative of mine, was a running foreman, who had been nineteen years in the service. On the day of the accident he took a large train for the purpose of relieving one of the stations, which was crowded with grain. Finding the train too heavy to ascend the incline, he divided it at the bottom of the hill.

Mr. BENT.—My statement had no reference to that matter.

Major SMITH.—The Beaufort accident has a bearing on something which I shall have to say by-and-by. Newman divided the train, and an accident afterwards occurred at Beaufort, a portion of the train coming into collision with a passenger train. I have been told by persons who saw the accident that if the station-master had had the presence of mind to open the carriage doors of the passenger train every passenger could have got out. Though Newman was my relative, I never interfered in the matter in the slightest degree, but left the then Minister of Railways, who was my colleague, to adopt what course he thought fit. I never mentioned the matter to him, nor did any of my colleagues, until after Newman was put on his trial and acquitted. The present Minister of Railways thought proper, without any solicitation on my part, to reinstate Newman in the service after he had been suspended for seven months, and after he had been put on his trial and acquitted. I will now come to the Hawthorn accident. After that accident occurred, I got all the information I could from various authorities in regard to the cause of it; and I think the House will be surprised to learn that the staff system, which is looked upon as so safe, is at present being worked in the most loose and negligent way that can possibly be conceived. According to the staff system, if a train leaves say Newport for Werribee, a staff is given to the engine-driver, and then the train has a monopoly of the line between those two places. When it gets to Werribee the staff is given up by the engine-driver and another staff is handed to him, and then the train has a monopoly of the line until it arrives at the next station at which it is to stop. Now a guard told me that in one case the printed instructions were altogether disregarded by the conduct of the station-master. According to the instructions it was the duty of the guard to receive the staff from the station-master, and to hand it to the engine-driver, so that three persons might know that the staff had been delivered; but when the guard asked the station-master to hand him the staff, the latter said—"What have I got to do with the staff? I am not going to bother with the staff; some of the porters will give the driver the staff." This indicates that there is gross negligence even where the travelling public are supposed to be perfectly safe. The Minister of Railways may not know of it, but the printed instructions are violated in a way that is sufficient to sheet home to the department gross negligence in conducting the passenger trains.

Mr. ANDERSON.—Where did the case to which the honorable member refers occur?

Major SMITH.—I am not going to mention names. I asked the guard who informed me of the case why he did not report the station-master, and his reply was—"Report him! If I reported him, I would be dismissed in a week, notwithstanding that I have been 20 years in the service." "Why would you be dismissed?" I inquired; and the answer was—"He is a countryman of Sir Bryan." I have a copy of the printed regulations for working the traffic in certain cases, and every one of them seems to have been violated on the Hawthorn line. If they had been observed on the day that the accident happened, it would have been utterly impossible for the accident to occur. I may mention that in England the police have instructions when a railway accident occurs to arrest all the firemen, drivers, guards, and other officials connected with it, and to keep
them separate until an inquiry is instituted by the Board of Trade. In the case of the Hawthorn accident, however, the men who are probably most culpable are acting as judges over the subordinate officials. I will read the printed regulations issued by the department which ought to be observed when a double line is worked as a single line. They are as follows:—

"68. When slips or obstructions occur, or if from any cause it becomes necessary to work both the up and down traffic over one and the same line of rails, between certain stations or 'through crossings,' the following rules must be observed:

"69. After providing for the immediate safety of all traffic approaching the point of danger, according to the general regulations, intimation must be sent to the Engineer-in-Chief's office, nearest engine-berth, and to the Inspector of Permanent Way, and to the office of the Traffic Superintendent, at Melbourne, and to all other officers who can render assistance.

"70. The officer in charge of the nearest station to the point of obstruction shall assume the chief authority until the arrival of the Inspector of Permanent Way, when so soon as he can transfer the duty to that officer he must do so.

"71. The signal points at each end of the single line over which the whole traffic is to be conveyed must be placed in charge of experienced men. The distant signals must be kept constantly turned on danger, or a man with a distant signal flag, tied round his ordinary cap, care being taken that the signal flag shall be a piece of red cloth, or red signal flag, tied round his ordinary cap. The signal points at the end of the single line, find that more trains are to be piloted, he may despatch all the trains at intervals of from five to ten minutes, according to circumstances, going himself invariably on the engine of the last train.

"72. The pilotman must accompany the first train in each direction after the double line has been opened.

"73. After the pilotman has left, all the engines approaching the single line must be stopped till he returns.

"74. The pilotman shall be distinguished by a red cap; but, until this is obtained, his distinguishing mark shall be a piece of red cloth, or part of a red signal flag, tied round his ordinary cap. Care being taken to transfer his brand or cap to any man appointed to relieve him.

"75. When one pilotman has been relieved by another, he must not ride on any engine till he takes duty again.

"76. These arrangements are matured, no train must be allowed to pass in the wrong direction on the single line, and the driver of the first train in each direction must be cautioned not to proceed faster than four miles an hour, so that all parties may become familiar with the arrangements without risk of accident.

"77. After all danger has been removed, the line of rails which was closed must not again be re-opened for traffic till intimation in writing from the Government authorities has been sent to the pointsmen at each end."

None of these regulations were observed on the Hawthorn line on the day that the accident occurred. There was no pilotman, and, instead of the train going at the rate of four miles an hour, it was going at the rate of 20 miles an hour; in fact, the whole of the regulations, which were intended for the safety of the travelling public, as well as for the safety of the railway officials, were deliberately set aside. Under these circumstances, how can any one have the hardihood to say that the Government or the Railway department are not to blame? If justice is to be done, an inquiry ought to be held promptly. We know full well that evidence sometimes gets obliterated—that documents sometimes disappear. We had an instance last night of how documents may be manipulated. The delay proposed by the Premier should not be tolerated. There may be a desire to shield some of the higher officers of the department, and that object might be gained by delay. The excuse given by the Government for not consenting to the appointment of a committee immediately, namely, that a coroner's inquest is being held, is a most paltry and unreasonable one. Why should the members of this House, who are elected to look after the business of the country, be debarred from appointing a committee to inquire into the whole circumstances connected with the accident until twelve jurymen give their decision as to the cause of the death of the unfortunate man who has been killed? I can assure the Government that there is a strong feeling, not only in the metropolis, but in the district of Ballarat, and all over the country, of want of confidence in the administration of the Railway department under the present regime. If the country was polled, there would be an overwhelming majority against continuing the existing system. It is only since two very serious and costly accidents have occurred—both of which have happened during the time that the present Minister of Railways has been in office—that the railway management has been very much called in question. When the honorable member for Rodney (Mr. Gillies) was Minister of Railways there were scarcely any accidents, neither were there many during the term of office of the honorable member for Stawell and the honorable member for Castlemaine. Those honorable members conducted the department in such a way that it became almost proverbial that, in proportion to the number of travellers, there were fewer railway accidents in Victoria than in any other country. This has been reversed since the present Minister took office. I agree with the remarks which the honorable member for West Melbourne (Sir C. Smith said.
Mac Mahon) made about the Minister's fatal energy. The honorable gentleman has been continually meddling with everything; constantly changing his officers, and constantly changing the time-table, without sufficient consideration. An old officer of the Hobson’s Bay Company told me that it was a very rare thing indeed for the company to change their time-table. The men were trained to do certain work which never varied, so that they knew exactly what they had to do from week to week and from year to year. They did the same thing every day, with the exception of a change in a few of the trains on Saturdays and an altered time-table on Sundays. What we want is a prompt and searching inquiry, to ascertain how the present condition of the railways has been brought about. I cannot imagine any honorable member, in whatever part of the House he sits, endeavouring to shirk an inquiry into this matter, and the pretence of the Government that an inquiry cannot be held because the coroner and twelve men picked out of the streets are holding an inquest is simply preposterous and on a par with the whole of the Estimates. A list of the appointments made by them up to July last has been furnished, but we shall not be able to see the full extent to which they have gone in this direction until the list is brought up to date and the Additional Estimates are submitted. The honorable member for Sandridge last night talked about a coalition, but what is the personnel of the present Government? It contains at least three gentlemen—the Premier, the Chief Secretary, and the honorable member for Richmond (Mr. Smith)—who used to call themselves liberals, but how can they continue that title when they are supported by the rankest conservatives in the House? They occupy a most anomalous, and I have no hesitation in adding a degraded, position. Never has there been a Government in this country which has promised so much and done so little as the present Government. They endeavoured to buy up the whole country with a Railway Bill, but that measure is now being dealt with in another place in a way we ought to have dealt with it but that we shirked our duty. When I look back at the time which that Bill occupied in this House, and at the varying promises and withdrawals of the Government in connexion with it, I experience a feeling of shame and regret. In fact, I can remember no session of Parliament in this colony for the past twenty years in which there was so small an amount of public business done—and so very discreditably done—as there has been during the present session. Not a single line of the Estimates has been passed, although we are close on Christmas. The Premier seems always to rejoice when anything comes forward to postpone public business. During the last eight months he has never risen once and shown an anxiety to have the public business transacted; he has always been satisfied whatever question was brought on, and has never attempted to put any pressure on the House to do work. I suppose he thinks he can go to the country with the cry that the Government have been obstructed, but he will find very few people to believe that statement—a statement in which he knows well there is not a particle of truth. If the Government were at all equal to their position, there would have been a fair amount of public business transacted, instead of the House having been allowed to sit for eight months without even passing a line of the Estimates. Two or three Supply Bills have been already obtained, and, if the Government continue their present course, the whole of the public expenditure for the year will have been incurred before the House has had an opportunity of considering any portion of it. Is that a fair or proper way of treating this House or the people of this country? When we obtain a full list of the appointments made by the present Government, it will be found that it does not stop at the letter “F,” like the list referred to last night, but that it reaches the letter “O,” and that more appointments have been made
under that letter than under any other in the alphabet. I venture to say that that letter "O" will prove a hole through which the whole of the Ministerial party will disappear and be never more seen. Can intelligent people look with anything but dissatisfaction at the course of this session? The late Government had a long session, but in it we managed to pass a Reform Bill and a Railway Bill which was based on broad public policy, and hardly a single line of which was altered in another place. That Bill did not contain any "cocksand" lines going nowhere, but lines which the country required, and in connexion with which every information was submitted to the House. And let it be remembered that we were met with the strongest opposition that any Government ever experienced. The present Minister of Railways sat in the opposition corner, and night after night denounced the Government as a "rotten" Government. You, Mr. Speaker, no doubt properly, called the honorable member for Sandhurst (Dr. Quick) to order the other night for using the word "rot," but I never heard the present Minister of Railways called to order when he characterized the late Government as a "rotten" Government. I am glad, however, that there is a new parliamentary rule—

The SPEAKER.—I regret that the honorable member does not appear to comprehend the distinction between the two words. The word "rotten" is intelligible to any one who understands English. The word "rot" as applied is not.

Major SMITH.—I understand English, but perhaps I do not know Irish quite so well. I ought to understand a little at all events of the English language, having been brought up in that tongue. I am perfectly indifferent what becomes of the motion which has been submitted, but I think it is desirable for the Opposition on all occasions to criticise the public policy of a Government to which we are opposed. The present Chief Secretary sat behind the late Premier, but, while ostensibly supporting the honorable member for Geelong, he was intriguing with his present chief to turn out a Government many of whom were former colleagues of his own. During the last twenty years I can only recollect one other instance of similar conduct. The Premier, in the buoyancy of his disposition, may fancy that he has the whole country at his feet, but I venture to remind him of the fate of another stiff-necked politician who was under a similar impression. That gentleman was supported by what were called "the forty gaggers," but when the forty went to the country only twelve of them came back. I venture to predict that when the country see that the present Government cannot conduct the public business, that the railways are being mishandled, and that the public department are being stuffed with, in many respects, useless civil servants—the letter "O" predominating—they will be similarly outspoken in their expression of opinion at the next election. I know that, in the remarks I have made regarding the present Government, I have expressed the sentiments of my constituents, and I believe I have also expressed the opinion of the vast majority of the people of the colony. If the Jolimont, Windsor, and Hawthorn accidents had occurred during the régime of the honorable member for Geelong, the conservative press would have exhausted the language of vituperation, but now, of course, nothing is to be said on the subject. Nevertheless, in my opinion, the resolutions passed at the public meetings held in the Melbourne Town Hall and at Hawthorn are just as much votes of want of confidence in the Minister of Railways and the Government as though they were expressly drawn up in those terms. For my own part, I agree with those honorable members who say that the sooner the members of this House are sent to their masters—the people—the better.

Mr. McKEAN.—Hear, hear.

Major SMITH.—By that course perhaps the enormous waste of public money which has been going on under the present Government will be put an end to. Public works have been started in different parts of the colony, the money appropriated for which might as well be thrown into the sea. The proposed works at the Gippsland Lakes' entrance is one of the most glaring instances of the reckless extravagance of this Government, because the channel there changes its position two or three times every year. Sometimes it is miles away from where it was a short time before, and yet money is to be squandered at this place. Then, of course, the nurse of the Government has to be provided for by a large expenditure at Warrnambool. The moment the Government are in danger, messengers are despatched for the honorable member for Warrnambool, and he quickly appears on the scene. Again, what is to be thought of the way in which members on all sides of the House are treated by the Minister of Railways? Last night, when the Minister
of Railways was asked in the middle of the debate to answer a civil question, he got up and said,”I won't answer it,” and walked out of the House. Such conduct by a Minister is unparalleled. If the honorable members who support this Ministry imagine that the Government alone will be blamed by the country, they will find themselves greatly mistaken, for the country will hold them responsible for the blundering of this wretched pretence of a Ministry, whom they have assisted and protected. In conclusion, I submit that the Government have shirked their manifest duty in not at once agreeing to the inquiry proposed by the honorable member for North Melbourne.

Mr. GRAVES.—Mr. Speaker, I understood the honorable member for West Melbourne (Mr. Orkney) to say that the Government had wantonly taken up this motion as one of want of confidence. So far as my experience goes, I have yet to learn that any Ministry seek a vote of want of confidence; on the contrary, I have always understood that it was the last thing any Government desired. We would, however, be cowards and unworthy of our position if, when a motion was brought forward with the full intention of testing the question, we were not ready to meet it. The honorable member for West Melbourne, in making the statement I have alluded to, must have forgotten the circumstances of the case. It will be remembered that the honorable member for North Melbourne (Mr. Munro) asked the Premier to allow his motion to take precedence.

Mr. ORKNEY.—He did not ask for precedence for it as a want of confidence motion.

Mr. GRAVES.—The Government had on the notice-paper a Bill for the better management of the railways, and that order of the day was, from my point of view, intercepted by the motion of the honorable member for North Melbourne for an inquiry into the management of the railways especially in connexion with the late accident. The honorable member for North Melbourne immediately he came into the House on Thursday last, asked that his motion should take precedence, to which the Premier replied—

"I think it would be rather unadvisable to appoint a select committee at present for the purposes contemplated by the honorable member's motion. I submit that when the intense public feeling has subsided will be the proper time for such a committee to be appointed."

The honorable member for North Melbourne then asked—"Do you refuse to allow the motion to come on?" to which the Premier answered—

"I am simply giving reasons why I think that the motion should not take precedence of the ordinary business of the House."

The honorable member for Geelong (Mr. Berry) immediately afterwards said—

"I want to know distinctly whether or not the Government intend to give precedence to the motion of the honorable member for North Melbourne. I take it that the honorable member means what he says, and that he is bound to make such a statement that the Government cannot refuse to give the motion precedence."

The following then took place:—

"Mr. MUNRO.—I will do it now. I shall propose this motion as a want of confidence motion.

Sir B. O'LOGHLIN.—Mr. Speaker, I ask the honorable member for Geelong (Mr. Berry) whether he endorses the action of the honorable member for North Melbourne (Mr. Munro)?

"Mr. BERRY.—Yes."

After that statement of the facts, I ask could the Government do otherwise than accept this motion as one of want of confidence?

Mr. MIRAMS.—Is that why the Premier moved the previous question?

Mr. GRAVES.—I do not understand about the previous question. As I stated the other night, I do not think there is any honorable member in the House, or anyone outside, who denies the absolute necessity for a searching investigation into the late accident, but I maintain that the inquiry should not interfere with the inquest which is now being made by the coroner, which may possibly result in a verdict of manslaughter against some one. The honorable member for Ballarat West (Major Smith) said that the coroner's jury consists of twelve men picked up from the street. As a matter of fact, the jury consists of 15 or 17 men, of whom twelve can find a verdict which will cause the committal of a man for trial.

Sir C. MAU MAHON.—How are the jury collected?

Mr. GRAVES.—The honorable member for Ballarat West stated that they were twelve men picked up from the street. I do not know how the jury were obtained.

Mr. ZOX.—They are all respectable men.

Mr. GRAVES.—The honorable member in whose district the inquiry is taking place states that the jury are respectable men, and it will be seen from the newspapers that they are making as good progress with the inquest as they possibly can. Within three-quarters of an hour of the accident I was on the scene. I formed my own idea as to the cause of the accident, and undoubtedly there
can be but one opinion, namely, that some one was seriously to blame. Any one who saw the wreck of the train and the condition of the unfortunate people who were injured could not but feel that such an accident should not occur in a civilized community.

Mr. R. CLARK.—Then why do not the Government hold an inquiry at once?

Major SMITH.—The Premier said after Christmas.

Mr. GRAVES.—As far as I recollect, the Premier said that the inquiry would be held with the least possible delay. He stated that the House would go into recess, and that, when it re-assembled about the 4th January, a committee could immediately proceed to hold an inquiry. It has been stated that in England these inquiries are held by the Board of Trade in hot haste, but, after spending some hours in looking over the accounts of railway accidents in England, I do not find that inquiries are held in such a manner as to interfere with the proceedings of a coroner's jury. In one case—I believe that referred to by the honorable member for Stawell—I find General Hutchinson, the officer in charge of the inquiry by the Board of Trade, stating that he had been enabled to take the evidence of a pointsman named Melia, "who had been in custody, but had been since tried and acquitted." This shows that the inquiries by the Board of Trade are not always held in such hot haste as the honorable member for Ballarat West has stated. Again, it is distinctly provided in the English Act regulating the duties of the Board of Trade in relation to railway accidents that—

"Where any coroner in England holds or is about to hold an inquest on the death of any person occasioned by an accident, of which notice for the time being is required by or in pursuance of this Act to be sent to the Board of Trade, and makes a written request to the Board of Trade in this behalf, the Board of Trade may appoint an inspector or other person possessing legal or special knowledge to assist in holding such inquest, and such appointee shall act as the assessor of the coroner, and shall make the like report to the Board of Trade, and the report shall be made public in like manner as in the case of a formal investigation of an accident under this Act."

I need not refer further to this point, but I repeat that as soon as the inquest is over—so that fair play may be afforded to those persons who are affected—I trust the Government will not lose one hour in having a full and searching investigation into the whole subject of our railway management from top to bottom. I must say I exceedingly regret the personalities which have been so largely imported into this debate. During the time I have been in the House I have always carefully avoided personalities, and I hope to continue to do so, because they do not merely insult the person to whom they are addressed, but they lower the character of the House. On this subject a recent writer in England says—

"After perusing some of the debates at Sydney and Melbourne, we prefer to believe, not that the members of the Government are dishonest, but that each successive set of officeholders must, by the custom of the country, stand the fire of the prescribed imaginative calumnies from their parliamentary rivals, and one would be inclined to think that many of the personal scandals and accusations of dishonesty which have defaced the debates of the Colonial Parliaments ought to have been avoided. One would fain cherish the hope that they seldom mean half what they say of each other's public crimes."

I hope that is the case, and I think it is. With regard to this inquiry, I may again express the opinion which I uttered the other night, namely, that, when an accident of this kind occurs, the circumstances pertaining to the accident are best investigated by a board of perfectly independent men, apart from politics altogether, but that matters of policy should be considered in a constitutional manner in this House, and the majority should decide as to any legislative enactments. If questions of public policy, such as how the railways should be managed, are to be decided by public meetings outside, the gentlemen who hold those meetings ought to be in this House. The honorable member for Ballarat West stated that there would be an awful story to tell about this Government in connexion with the expenditure in the departments. I can only speak of my own department, and I hold in my hand a paper signed by the responsible officers showing the appointments made by me since I have been in office. The return which has been presented to the House on the motion of the honorable member for Fitzroy (Mr. Tucker) is calculated to mislead the House, because it contains the names of a number of men who are put on at the request of, and whose services are paid for by, the merchants. Honorable members may not be aware that the Customs department receives from the outside public the sum of £11,000 a year for services rendered. The return I have obtained shows that on the 30th June, 1881, just before I took office, there were 64 classified and 197 scheduled officers in the department; in the next quarter, ending 30th September, 1881, there were 65 classified and 198 scheduled officers; in the following quarter the numbers were 65 and 201,
respectively; in the next 66 and 204; and in the next 66 and 202. Therefore, there are in the Customs department 66 classified and 202 scheduled officers, as against 64 classified and 197 scheduled officers when I took office, so that I do not think it can be said that there has been any great increase in the numbers of officers in that department at all. In the next 66 and 197 scheduled officers when I took office, so that I do not think it can be said that there has been any great increase in the numbers of officers in that department at all.

Mr. WRIXON.-Mr. Speaker, I think that those who are anxious to secure civil service reform have some right to complain of the manner in which the Government have treated the present matter, and of their decision to regard the motion of the honorable member for North Melbourne (Mr. Munro) as one of want of confidence. I most firmly believe that, when that honorable member gave notice of his motion, he had no other object in view than to obtain an inquiry. There was nothing in the proposal pointing against the Government. I would deprecate any such object in connexion with any inquiry. It is against a certain system, not the Government, that the inquiry is to be directed. No doubt words of heat on the subject

Sir B. O'LOGHLEN.—No.

Mr. WRIXON.—I cannot see the difference between the two cases. If we ought to delay the inquiry pending the action of a coroner's jury, there must be still greater reason why we should delay it pending the action of a jury in a criminal court. I contend that our system of railway management ought to be immediately inquired into. At the same time, I utterly disclaim an inquiry pointing at any particular Minister or Ministry. As for the contention that such an investigation should be held over until any court of law decided upon the innocence or guilt of an individual or individuals, I repudiate it altogether. I hold, also, that public opinion being eager for the inquiry makes it even more incumbent upon the Government than it would otherwise be to act promptly in the matter. We are told that an inquiry is unnecessary, because the Government have a Railways Management Bill in hand. But, without knowing what the nature of that Bill is, or whether it contains any thorough or real reform, I unhesitatingly declare that we cannot adopt it without a preliminary inquiry into the facts of the subject it deals with. If leasing the railways is suggested in it, a very great deal of investigation will be necessary before we will be competent to decide the point, and the same thing may be said with respect to a proposition to place the railways in the hands of a board. In fact, if the Government propose anything in the shape of a real reform different from the scheme of appointing three Under-Secretaries of Railways which we heard of early in the session, their proposition cannot possibly be entertained without a preliminary inquiry. As for the public excitement on the subject, we ought not to shut our eyes to the circumstance that it is only when public feeling is strongly agitated in favour of a material reform that we can get the support necessary in order to carry it out. The present opportunity ought not, therefore, to be lost. I do not pretend that the late accident shows anything against the Railway department more than there is against any other department. All the departments have been steadily deteriorating for some time past, and the only thing that makes to happen? Shall we not, if we admit the Premier's argument, be in the position that, because the person or persons committed for trial cannot be tried for a couple of months, the inquiry we wish to make into our general system of railway management must be hung up for another long period?

Mr. WRIXON.—Mr. Speaker, I think that those who are anxious to secure civil service reform have some right to complain of the manner in which the Government have treated the present matter, and of their decision to regard the motion of the honorable member for North Melbourne (Mr. Munro) as one of want of confidence. I most firmly believe that, when that honorable member gave notice of his motion, he had no other object in view than to obtain an inquiry. There was nothing in the proposal pointing against the Government. I would deprecate any such object in connexion with any inquiry. It is against a certain system, not the Government, that the inquiry is to be directed. No doubt words of heat on the subject
the case of the Railway department a distinct one is that the deterioration that has taken place there has been brought to light by a serious accident which has aroused public attention. If we postpone any step in the direction of reform for a couple of months, instead of jumping at the chance before us, what will eventuate? At the end of that period the public excitement which might have been availed of as a healthy stimulus to action will have passed away, and we shall find ourselves in a time of deadness and stillness in which nothing can be done. This community is a working community, and it is only now and then that we can get public feeling excited, and the public inclined to attend to public affairs. Another thing I object to is the Government interposing in a matter like the present, which does not necessarily affect either their position or their prestige, and saying—"If the House will not vote with us, there will be a crisis, and everything will be thrown into confusion." We hear that in the case of a vote adverse to the Ministry we will have a dissolution. Well, I object to that system of government. It has been indulged in before, and by no means to the public advantage. It is the wretched selfish principle that was adopted during the reform discussions. We were then branded as traitors, and threatened in all sorts of ways, because we showed ourselves not quite ready to support a particular reform scheme. What has been the consequence of that line of conduct? Where is that reform scheme now? It has vanished into thin air. I refuse to be coerced in any such way, and I shall deal with the question before the House simply on its merits. The reasons given by the Government for not holding the railway inquiry until after the coroner's inquest appear to me to be thoroughly unsatisfactory. The coroner's inquest and an inquiry into the general railway system of the colony have nothing in common. I think that the Government might even now reconsider their intention to treat the motion as a hostile one. The Premier smiles, but I can give him excellent reasons why he should take that course. He has, however, met the motion by moving the previous question. That means that the Government ask us not to consider the matter of an inquiry just now, and that at the same time they make that non-consideration a party question. I repeat that I do not agree with such tactics. If the Government proposed to directly negative the motion of the honorable member for North Melbourne, there would be some logic in their position, but at present there is none. This moving the previous question is simply throwing a wet blanket over a subject of great public importance. I believe that under the system now carried on in our Railway department it is rapidly deteriorating and becoming thoroughly rotten. I also join issue with the view the Premier expressed the other night of the position of a railway servant. According to the Argus report of his speech he spoke to the following effect:

"The Railway department is managed in exactly the same way as companies are in England. The Commissioner here holds a similar position to a chairman of a board there. He exercises patronage. The honorable gentleman may object to the exercise of patronage for political reasons, but that is not the point I am illustrating. The Secretary of Railways occupies a similar position here to the position of general manager at home, and we have a traffic manager and a locomotive superintendent engineer just as they have there. The officers here are just as independent in the discharge of their duties as at home."

That being the statement of an honorable gentleman who has been Premier of the colony for nearly eighteen months, and who previously occupied a high position, which he assumed shortly after the disastrous dismissals of January, 1878, it is possible his views may be accepted in some quarters, but it appears to me little short of miraculous that any one with his experience could suppose for an instant that any of our railway officials is as independent in the discharge of his duty as an officer of say the London and North-Western Railway Company.

Sir B. O'LOGHLEN.-I say he is.
Mr. WRIXON.—Well, it is curious how a man can deceive himself. I venture, without hesitation, to assert that if the Premier were to make that statement in the country he would not find one man in a thousand to agree with him. It is perfectly well known that an officer of the London and North-Western Railway Company has nothing to think about save doing his duty. Is that the case with the gentlemen who hold office as Engineer-in-Chief, Traffic Manager, Locomotive Superintendent, and Secretary for Railways?
Sir B. O'LOGHLEN.—Why should it not be the case with them?
Mr. WRIXON.—Does anyone believe it to be the case with them?
Sir B. O'LOGHLEN.—Yes.
Mr. WRIXON.—Well, some people can believe anything. Ask any Railway official in confidence if he is prepared to run counter to the political opinions or bias of his

Mr. Wrixon.
chief—whether, with the knowledge that his family’s bread depended upon his holding his position, and with the precedent of the dismissals of January, 1878, before him, he would dare to take any step of the kind—and what would be his reply? We know it would be in the negative. It would be idle to expect him to say anything else.

Mr. LONGMORE.—Bunkum!

Mr. WRIXON.—I am talking facts that are known to the great majority of the community. It is thoroughly accepted in every quarter of the country that, under a system of political management of departments, you cannot have single-minded officers devoted simply to the discharge of their duty.

Mr. MACGREGOR.—Do you include the Education department?

Mr. WRIXON.—I include every department. I repeat that the only difference between the Railway department and the other departments is that the recent accidents have directed special attention to the former. Look at the police force, and also at our lunatic asylums. Has it not been admitted in this House that the patients at the Kew Asylum were at one time compelled to eat bread which the warders absolutely refused to touch? Every branch of the public service has deteriorated under the political influences to which it is exposed, and the consequence is a looser discipline than ought to prevail. As for an inquiry into our railway management, the public demand it loudly, and it must be held. They see that things are going on in an altogether wrong way, they want to know the cause of the evil, and the House will be neglecting an obvious duty if it sits quietly by and indefinitely postpones an inquiry into the matter on the simple ground that a coroner’s inquest is proceeding. An excuse of that character is bound to be regarded in every quarter outside these walls as eminently unsatisfactory. There need not be the slightest conflict between the two inquiries. Therefore I consider that the railway inquiry ought to be entered upon by Members of Parliament. As for our not being able to get impartial politicians to act in the matter, I deny that there is any room for the idea. We can find plenty of impartial men for the purpose among our own ranks. Let it be recollected that the reform in view is one in which we are all interested, because we all exercise patronage—that is, we all send men to the Railway department—and, also, that it cannot be said that the inquiry would be directed against the exercise of patronage by a particular Minister. I think that at the hands of a select committee of practical politicians we might expect excellent practical results. For these reasons I shall vote for the motion of the honorable member for North Melbourne. I regret that the Government have put before us the issue that if the motion is carried there will be a dissolution—a general break-up of everything—because there has never been any occasion for Ministers to regard the subject in that light, and because I don’t think we are prepared at the present moment for a great political change; but at the same time that regret will not prevent me from taking the course I have indicated.

Mr. BARR.—Sir, I wish, in the first place, to express my disapproval of the high-handed action of the Premier in declaring practically that he would only accept the motion of the honorable member for North Melbourne (Mr. Munro) as one of no confidence. From what I know of the matter, I don’t believe that honorable member had the slightest wish or intention to make his proposal one to affect the position of the Ministry. Certainly I have no cognizance of any coalition with an object of that kind in view. My own opinion is that it is incumbent upon us, as trustees for the people, to insist upon an inquiry of the most searching kind into the causes, near or remote, that led to the late disaster. It is one of the most striking circumstances possible that, while the Hobson’s Bay lines were for many years utterly free from accident, directly they came under Government management accidents set in. At the same time I protest against the Minister of Railways being saddled with the blame attaching to those accidents. Surely no sensible man will say the Minister of a department is responsible for its conduct down to the utmost minutiae of detail. Who, for example, can fairly assert that the Minister of Railways is answerable for such matters as the errors of a timetable?
Mr. RICHARDSON.—He ought not to have interfered with such matters.

Mr. BARR.—I have yet to hear that he has so interfered. As soon as it is shown that he has, I will join in censuring him. Nevertheless, whether the system or the officers of the Railway department are to blame, there is something wrong with respect to it that ought to be very closely inquired into, and I think the Government ought to have been the first to propose that such an inquiry should take place, and, moreover, that it should be entered upon at the earliest possible moment. Had they taken a course of that sort, the proposition of the honorable member for North Melbourne would have fallen flat. I have not seen a single good reason assigned why the inquiry should be postponed. It is said the coroner's inquest ought to come first, but I know of nothing to prevent both inquiries being carried on at the same time. We have been told that the witnesses could not be in two places at once, but no one could possibly want them to be so. What I would like to see would be the Government inquiring into the affair of the late accident in the same way as the Board of Trade in England would have done had the disaster occurred in that country. I don't think there would have been any waiting there until the coroner's inquest was over. In support of that view I ask honorable members' attention to the following extracts from an article published in this morning's Age:

"In the case of the Thorpe accident, to which we have referred yesterday, the county coroner stated, on opening the inquest on the victims, that though he had expected that the Board of Trade would have appointed an inspector to act in conjunction with him, 'he would gladly hand over the inquiry to persons better qualified to undertake it.'"

That is a pretty plain admission.

"To take one instance out of many, we may adduce that of the disastrous collision at Abbot's Hipton, on the Great Northern line, in 1876. On that occasion the accident happened on the evening of 21st January. Captain Tyler was appointed to inquire into its causes on the 22nd, and opened his court at five o'clock p.m. on the 24th; the coroner's inquest (after the identification of the bodies) being adjourned during the sitting of the more important tribunal."

Again, the article states—

"The Tay-bridge disaster took place on 28th December, 1879, and Colonel Yolland, a Board of Trade inspector; Mr. Rotherly, Inspector of Wrecks; and Mr. Barlow, President of the Institution of Civil Engineers, were commissioned to inquire into it on the very next day, and commenced proceedings within the week. In fact, the very first thing aimed at in the English system of inquiry into railway accidents is that not an hour, if possible, shall be lost before the investigation by a competent and authoritative tribunal takes place. To ensure this the companies are laid under penalties to inform the Board of Trade of the slightest accident on their lines 'by the earliest practicable post,' if not by telegraph."

In addition, I will mention a detail or two in connexion with three English railway accidents of recent date. On the 19th July, 1881, an accident occurred on the Midland Railway; on the 22nd of the same month the Board of Trade ordered an inquiry into the casualty, and a report was sent in on the following day. On the 26th December, 1881, an accident occurred on the London, Tilbury, and Southend Railway; two days afterwards the Board of Trade issued an order for an inquiry, and a report was sent in on the 10th January. The last case I will mention is that of an accident on the London, Chatham, and Dover line, which took place on the 23rd December, 1881. An inquiry into it was ordered by the Board of Trade on the 27th December, and it was reported upon on the 21st January, 1882. I think similar promptitude ought to be displayed in this country. As for coroners' inquests, I have a large experience of them, and my opinion is that, generally speaking, they are a perfect farce. They are simply a relic of the dark ages. How can coroners' juries be said to investigate causes of death when they simply find the medical evidence? A good deal has been urged in favour of an inquiry by competent men outside this Chamber, but I see no necessity for us to go beyond our own ranks. It is nonsense saying that there are not seven, or three times seven, honorable members here whose verdict upon any matter they inquired into would be given without partiality, prejudice, or political feeling, and would command the respect of the whole community. In the hands of no court in the colony could our lives and liberties be more safe than they would be in the hands of a select committee of this Assembly. The Premier now asks us to burke inquiry, for that I regard as the real meaning of the amendment he has proposed. The honorable gentleman asks the House to leave the matter in the hands of the Government, and says that then we will see what we shall see. But as a matter of fact, the Government have not shown themselves so anxious to bring about an inquiry as to induce us to leave the matter in their hands any longer. Although I am placed in the dilemma of having to vote against the Government, or leave myself open to the accusation of shirking inquiry, I don't feel at liberty to do anything else than record
my conviction that a full inquiry should take place at once, even though the bringing about of that inquiry involves the fall of the Ministry. If the question were addressed to me by the Ministry—"Are you determined to put us out on this question? I would say "No," but if the Ministry take up the position that, although the House may insist upon inquiry, they will sooner go out of office than grant it, honorable members are forced into a position of antagonism to the Ministry, and must vote against them. The question of the present management of the railways has been referred to pretty freely during this debate. It has been contended that the only remedy for the existing state of affairs is to take from the Minister of Railways the whole power he now possesses, and transfer it to an irresponsible board. Now, as I said on a former occasion, I don't believe that matters would be improved in the slightest by the appointment of such a board. Already there is in existence a responsible board, consisting of the heads of the three or four branches into which the Railway department is divided. If the Minister of Railways for the time being ignores the recommendations of that board, he is accountable to this House. I fear that the board contemplated by the Government will be composed of gentlemen who, although of high respectability and attainments, probably belong, as the honorable member for Ripon suggests, to one side in politics. Something has been said about the desirability of the members of such a board having no opinion in politics; but I think it would be a hard task for the Premier, or any one else, to pick out six or seven gentlemen, of any standing in the colony, having no opinion in politics. My own feeling is that the contemplated change in management simply means depriving the Minister of Railways of patronage, and placing it in the hands of several men, whose politics are quite as pronounced as those of the Minister, but are not avowed so openly or so frankly. I would point out that the patronage of the Railway department is a thing in which the colony is concerned. In the country districts there are growing up boys and girls, who have not the same opening for advancement in life that boys and girls in Melbourne possess. Yet a certain proportion of them naturally look for employment under the State. When I hear that of a family of six in Melbourne, five are in Government employ, I cannot help thinking of the hundreds of young men up country who cannot find occupation, except as hewers of wood and drawers of water. It is under these circumstances that I object to the patronage of the Railway department being placed in the hands of half-a-dozen Melbourne men, who would exercise it for the benefit only of people in the metropolis. The board contemplated by the Government would be as irresponsible as the Commissioners of Audit, and it would not be possible to remove them without cases of the grossest corruption being proved against them. I believe that the only result of the proposed change would be to divide among five or six individuals the patronage now vested in one person who is responsible to this House. The attempt to bring about a transfer of patronage was first made by the honorable member for Castlemaine (Mr. Patterson), when he was Minister of Railways. It was announced here with a flourish of trumpets that the patronage of the Railway department would thenceforth be vested in the hands of the General Manager; but it was alleged the other night—I don't know whether the statement is true or not—that there were ways of "getting over Elsdon." My belief is that if the management of the railways be vested in a board, that board will soon become what the Melbourne Harbour Trust is already—a political engine of the strongest possible character; and it will be just as irresponsible. For these reasons, I say it is better to continue to have a Minister who has to sit here and submit to be badgered, and made to tell, if necessary, the secrets of the prison-house.

Sir J. O'SHANASSY.—And who is subject to a vote of want of confidence.

Mr. BARR.—Exactly. It is much better that we should have a Minister who can be brought to account in that way than that the management of the railways should be vested in a corporation which has neither a body to be kicked nor a soul to be saved. I consider the Premier is decidedly wrong in opposing the appointment of a committee to inquire fully, fairly, and straightforwardly, at once, into the circumstances attending the railway disaster at Hawthorn, and into railway management generally. The longer the honorable gentleman maintains his present attitude, the more will the public be inclined to feel that there is something to conceal, and the more will they be disposed to insist that inquiry should be made. I repeat that I have no desire to see the Ministry out of office. I consider a change of Ministry a most undesirable thing at the present juncture, with the Estimates for the year
untouched, and much important business demanded by the public on hand. But there is something to be dreaded more than a change of Ministry or a dissolution of Parliament, and that is a loss of respect on the part of the country for this House. I don't hold with those honorable members who say this House is so corrupt that it is time it should go to the country. This House is exactly just what the Ministry make it. If the Ministry desire to push on with public business they can do so, and the best way of doing so is to give way to the wish of the country as expressed by the voice of this House—that an inquiry should forthwith be made into the whole question of railway management, and that a report, full, fair, and complete, should be laid before the House at the very earliest moment.

Mr. McKEAN.—Mr. Speaker, we are asked to consider a phase of political procedure somewhat curious and novel. We are asked to take upon ourselves the responsibility of ensuring the Ministry because they will not acquiesce in a policy propounded by a large section of this House. Ministers have accepted the responsibility of the position by declaring that they recognise the motion of the honorable member for North Melbourne (Mr. Munro) as a motion of want of confidence. No doubt they were influenced by what they believed to be concerted action among certain honorable members. Whether they were correct in their estimate of what was going on matters probably very little; but even if any concerted action has taken place, what honorable members have to do is really to look into the merits of the case. Now, sir, in what position are the Ministry placed? After such a disaster as that at Hawthorn, it is necessary that a coroner's inquest should be duly held. The inquest was commenced, and, for reasons best known to the coroner, was adjourned, and is now proceeding. Before this debate terminates, that inquest may be over, and the result of it well known. But while the inquest is pending, a motion is tabled in this House with the view of compelling the Ministry to take a course very different from any which has been adopted yet. One of the reasons urged in favour of the course is that this is the High Court of Parliament and can override all other courts. But, as a matter of fact, a coroner's inquest, being part and parcel of the law of the land, cannot be set aside by this Chamber, or by the Ministry, as representing this Chamber. A select committee of this House is not co-equal with a coroner's inquest. A coroner's jury has power to commit men for trial; and it has the power to receive evidence upon oath, and to sift that evidence. A coroner's jury is now carrying out its functions according to law, and why should we in this Chamber seek practically to override that body, and act independently of it? Of course a select committee of this House, or a board outside this House, or a departmental board could be appointed; but I assume, from what has appeared in the newspapers, that a departmental inquiry has already taken place. It appears that the Minister of Railways, having called for reports from officers in connexion with the railways, bearing on the recent disaster, is now engaged in collating those reports. But some honorable members appear to think that fuller, better, and clearer evidence could be obtained by means either of a select committee of this House or by a board outside the Chamber. But neither of those bodies would be qualified to do more than take down the mere verbal statements of the persons who might be called before them, and those statements might differ most materially from the evidence on oath taken before the coroner. Witnesses examined on oath, if they tell what is manifestly untrue and unjust, can be prosecuted for perjury; but the same witnesses may misconduct themselves before a board, and no punishment can be inflicted upon them; they are then amenable only to public opinion, about which many of them care very little. There are many people who, although they will tell the truth when examined on oath, may not do so when called upon to make a statement not on oath. I have known persons undertake to give evidence of a certain class, and yet, when they have been placed in the witness-box, have given an altogether different version. When brought to book about the matter, they have stated—"In the one case I was merely making a statement, in the other, I was giving evidence under the solemnity of an oath." Now, sir, there can be no doubt that the Ministry have shown a thorough desire to have an inquiry into the whole of the circumstances of this case. That desire has been avowed, not only publicly, but privately, by every Minister who has addressed the House. Then what can be the object of the present motion, unless it be to oust the Ministry? No doubt there are many honorable members who may have a grievance against the Ministry, and who may think that this and that department might be better managed if other persons were in office; but let me ask, if this motion of no
Mr. Munro's Motion. [December 14.] Third Night's Debate. 2855

confidence were carried, what would be the result? The Ministry might appeal to the Governor, and obtain a dissolution of Parliament. That would be a matter of serious consequence to many honorable members. I venture to say that some of them would not come back.

Mr. ZOX.—But supposing a dissolution would benefit the country?

Mr. McKEAN.—I am inclined to think it would benefit the country. A dissolution would enable honorable members who are getting rusty to brush a little of the oxide of politics from them, and to present themselves before their constituents in a new political coat. I think it would be beneficial to the country if a general election could take place now without great loss or inconvenience to the public. But what would become of our Railway Bill? We have devoted nearly the whole session to the discussion of that measure; and it is a serious question for honorable members whether, for the sake of ejecting the present Ministry from office, they will sacrifice the Railway Bill upon which so much care, attention, and time have been bestowed. I don't see the force of ejecting the Ministry from office because of a difference between them and the supporters of the motion which has narrowed itself to a weak. The question at issue practically amounts to whether an inquiry shall be instituted on Monday or Monday week. Probably before the House meets again the coroner's inquest will be over, and then, no doubt, the Ministry will be prepared to take action in the appointment of a select committee of this House. At present, we are battling, as it were, upon a mere flimsy detail—a mere technicality. I think it would be beneficial to the country, merely because other honorable members were desirous of taking their places. I have no interest in turning out the Ministry. I was very kindly offered a seat in the Cabinet, but my professional engagements would not permit me to accept it. I have been a Minister before, but I have no desire to occupy the position again—unless under very peculiar and exceptional circumstances, which are not likely to arise because I do not think that the position of a Minister is advantageous to a professional gentleman. Many honorable members have debated the question before the House in a fair and equitable spirit, and are anxious that the inquiry shall be carried out as proposed by the Government. I believe that the House, as a whole, is desirous that some material changes shall take place in the management of the railways, and the Ministry have shown that they participate in that desire, inasmuch as they have introduced a Bill on the subject, the consideration of which will no doubt occupy the House for some time. Our railway system has grown to such an extent that it is useless to expect that it can be properly managed by a political head. In my opinion, the management should be relegated to a board composed of gentlemen of sufficient commercial experience to conduct the lines properly and efficiently. We are told that the position of officers of the Railway department is a very dependent one, and no doubt it is. Every officer under the political head is liable to be dismissed at a moment's notice—he is liable to be dismissed if he does not please his superior officer—and the result is that every officer has to be humble and submissive to those above him. Under a board, the officers of the Railway department would feel more confidence, and no doubt they would attend to their duties more faithfully. Great care would, undoubtedly, be taken in the selection of officers if the railways were managed by a board, and none but properly qualified men would be appointed. If the Railway department had been in a thorough state of organization, the recent accident might not have occurred; but I would draw the attention of honorable members to the circumstance that, during the year 1881, there were 66 railway accidents in the United Kingdom. In one instance, no fewer than four trains came into collision with each other; and there were, in all, 40 cases of collision, most of them being caused through the mistakes of pointsmen or signalmen. These facts show that accidents are continually occurring even on the best managed railways—on railways under the control of the best talent to be found in England. What guarantee then have we that accidents would not happen here, even
if we obtained from England an experienced traffic manager at a salary of £2,000 or £3,000 a year? None whatever. It has been said that there were no accidents on the Hobson's Bay lines while they were in charge of Mr. Elsdon, but that is not the case. The Jolimont accident occurred while Mr. Elsdon was in charge of those lines, although after they were taken over by the Government. That accident was caused by the worn-out condition of the rolling-stock which was purchased by the Government from the Hobson's Bay Company. When the purchase was made, the railway pier was in a state of decay, the lines were worn to a great extent, and the rolling-stock was in such a condition that the first-class carriages were not fit for respectable second-class carriages. However, as I have said, accidents may occur under any circumstances, and even if one of the best traffic managers in England was placed in charge of our railways. No one can say that another mining accident such as that which has happened at Creswick this week, or another serious railway catastrophe, may not happen to-morrow. The motion of the honorable member for North Melbourne has been fully ventilated, and I think that the House should divide upon it as soon as possible.

Mr. A. T. CLARK.—Mr. Speaker, one extraordinary anomaly has presented itself to my mind during this debate, and no doubt to the minds of other honorable members also, namely, that the proposer of the motion is the very gentleman who saddled the country with the railway lines on which all the serious accidents have occurred. Though the honorable member at one time strongly opposed the purchase of the Hobson's Bay Company's lines, he afterwards became one of the negotiators for the purchase; and now, after succeeding in getting those rubbishy lines bought by the State, and after human life has been destroyed upon them, he invites us to oust the Ministry from office on the plea that they are responsible for an accident which has occurred on one of the lines. If there is one man in Victoria who has done more than another to destroy the liberal party, it is the honorable member for North Melbourne (Mr. Munro). On all occasions he has been foremost in that direction. I don’t wonder at it, for the honorable member, who is now intimately connected with banking institutions, never really belonged to the liberal party. It has always been the opinion of the liberal party, so far as I have understood their views, that there were men in the colony with sufficient brains and intelligence to manage the affairs of the country; yet I now find honorable members who are supposed to be connected with that party advocating the importation of officers to manage the railways. As far as I recollect, in years gone by, and until very recently, every honorable member now sitting on this (the opposition) side of the House has opposed the appointment of a board to manage any department of the State, contending, as I contend now, that a responsible Minister of the Crown is the proper person to manage a department of the State. But what is the case now? Honorable members who have contended with me in favour of this principle—who have argued with me against the appointment of the Harbour Trust or any other irresponsible body—have during this debate contended for the appointment of another irresponsible body. Do honorable members think that, if a board is appointed to manage the railways, it will be anything else than a small conservative “ring”? Were not a number of the leading men who assembled at the Town Hall the other day to advocate the transfer of the railways to a board, the very men who are the expectants of office on the proposed board?

Mr. BERRY.—That is a reason why you should vote for this motion.

Mr. A. T. CLARK.—I think it is a reason why I should not vote for it. A great deal has been said about the management of the Hobson's Bay lines by Mr. Elsdon before they were bought by the Government. We have been told that there were no accidents upon them—that the management was perfect. But until those lines came into the hands of the Government there was really no traffic upon them; trains were run from year’s end to year’s end with scarcely any alteration, and if a special train was required at any time weeks’ notice had to be given of it. It is, however, incorrect to say that no accidents occurred on the lines during the time that they belonged to the Hobson’s Bay Company. I have turned up the record of about half-a-dozen accidents. In the Argus of the 23rd May, 1862, an account of an accident which happened the previous day commences with this statement:

"Close upon the heels of the late disastrous accident on the Melbourne Railway, which took place on the 8th inst., another catastrophe has occurred."

By the accident which occurred on the 22nd May, 1862, a member of the Legislative Council was killed. In 1871 another serious
accident took place. Every honorable member will admit what I have already stated, namely, that there was comparatively little traffic on the Hobson's Bay lines until they were purchased by the Government, and that the trains ran daily for years without any alteration. What is the case at present? The number of trains which now arrive and depart daily from the Spencer-street and Flinders-street stations is 763. This number is exclusive of special trains, and, as honorable members are aware, one special train is almost as much to contend with as 50 ordinary trains. The mileage run is 2,750 miles per day, and since Mr. Anderson took the management of the lines, 38,000,000 train miles have been run; yet up to the present time, including both the Jolimont and the Hawthorn accidents, only five passengers have been killed on the railways. Why, on the Sydney tramways, double the number of persons have been killed already. The statistics as to accidents in connexion with the Victorian Railway department reflect the greatest credit on every man connected with the department. In no other part of the world can we get a more satisfactory return. In England, in the year 1880, though there was no particularly great catastrophe, 1,138 persons were killed and 3,950 were injured in railway accidents. It is idle nonsense, in the face of such facts, to say that our railways are not well managed. I contend, and always have contended, that there are employed on our railways a vastly more intelligent body of men than you will find in any other part of the world. They have passed a medical examination, and they are men of education nearly every one of them. I was told the other day that the only thing we have to complain of is that we have too many educated men on the railways—that they have too much intelligence—and that this was the cause of the accident. I am surprised that liberal members, protectionist members—men who prate about Victorian industries, and oppose the importation of engines and carriages—should be prepared to oust the Government, in order to damage one of our own local institutions. I shall expect every member of the party with which I am connected—

Mr. LANGRIDGE.—Are you going to vote with your party now?

Mr. A. T. CLARK.—No member can say that I have ever given a vote against a single principle which I have advocated on the platform, and I never will do so, on whichever side of the House I sit. There are members of the liberal party, however, who are now lending themselves to a motion which is directed against the management of our railways by our own people. The motion is a reflection upon one of the grandest institutions which we have in this country. What a spectacle it is to see the great liberal party proposing to amalgamate with gentlemen to whom they have always been opposed tooth and nail, in order to oust the Government by a side-wind—not on a question of principle; not attempting to justify their action by bringing forward a motion declaring that the Government are not competent to retain office; not charging them with departmental maladministration, but leaguing together with their opponents to get place and pay over the mangled remains of humanity! I could join with honorable members to oust the Government on a question of principle, or a question of policy.

Mr. BERRY.—Say the workshops, for instance.

Mr. A. T. CLARK.—The honorable member need not taunt me.

Mr. BERRY.—Won't I?

Mr. A. T. CLARK.—I can go to any constituency in Victoria with the honorable member when the time comes, and I can hold my own. I will not consent, under any circumstances, to amalgamate with my political enemies to destroy everything which the liberal party have done in the past, and to be hopeless and powerless in the future. If I understand aright, the liberal party have yet a programme to carry out. Are we going to succeed in carrying out that programme by amalgamating with our enemies a few short months before we are brought face to face with the country? Is it not better that what remains of the liberal party should go to the country with the distinct programme which we have promulgated, and which honorable members have set forth on every platform in Victoria for years past? Are honorable members prepared to abandon the only plank left in that great platform? Are they prepared to amalgamate with gentlemen who sit in the Ministerial corner, and to say that the great question of leasing the lands shall be merged in a fight to get on to the Treasury bench? All the intimidation of the press of Victoria will never make me consent to support a motion to oust the Government by a side-wind. I could have been sitting on the Treasury bench now if I had desired, but I have no wish to be there. I have still principles to maintain. I object to this motion.
entirely. It is neither manly, straightforward, nor to the purpose. It is an attempt by a side-wind to oust the Ministry, because the gentlemen who framed it know that, if carried, it would probably not lead to a dissolution of Parliament; and they have not the courage to propose a motion which would bring them face to face with their constituents.

Mr. LANGRIDGE. — Sir, I regret the tone of the remarks made by the honorable member for Williamstown. On past occasions the honorable member has sometimes displayed great warmth, and said things which perhaps had better have been left unsaid; but I am sure that in the whole of his political career he has never made a speech which he will more regret than the one he has delivered to-night. He has attacked the honorable member for Geelong (Mr. Berry), but I feel perfectly convinced that the honorable member himself really does not believe a word that he said.

The SPEAKER.—I think the honorable member's remark is not in order.

Mr. LANGRIDGE.—If the remark is unparliamentary, of course, I will withdraw it; but I would appeal to the honorable member for Williamstown whether he believes that the attack which he has made on the honorable member for Geelong is justified. No man has been more true to his principles than the honorable member for Geelong, as even his political opponents will admit. Lately, somehow or other, whenever the Government have thought proper to treat a motion as one of want of confidence, it has not been straight enough for the honorable member for Williamstown. The honorable member has had an intense desire for the Government, but no motion which they have regarded as one of want of confidence, whether it has emanated from the opposition benches or any other part of the House, has been straight enough for him. The honorable member has taunted the Opposition to-night with being about to vote with conservatives, but I would like the honorable member to consider with whom he is going to vote. If he reflects on that, I think he will change his tune. I also deeply regret the remarks made last night by the honorable member for Ripon and Hampden, with reference to the honorable member for North Melbourne (Mr. Munro). They were most uncalled for and unfair. I entered the House when the honorable member for North Melbourne did. The honorable member for Warrnambool was the Chief Secretary, and for some time we sat in the Ministerial corner and supported his Government until they pursued a policy with which we disagreed. From that day to this, with the exception of some difference of opinion about the Reform Bill, the honorable member for North Melbourne has been a straightforward and consistent member of the liberal party. The honorable member for Ripon has frequently voted against his party with much less cause than the honorable member for North Melbourne ever had. It is unfortunate that many debates take place in this House which lower its character and dignity in the eyes of the public. I do not see why we cannot conduct our debates without indulging in personalities. The personal attack made upon the honorable member for North Melbourne, last night, was one of a most objectionable character. The honorable member for Ripon described him as the "assassin of the liberal party," a "snake in the grass," a "traitor," and "a thousand Judas Iscariots rolled into one." Yet these honorable members have sat together for years, and at one time were colleagues in a Ministry. Moreover, the honorable member for Ripon has done precisely the same thing that he charged the honorable member for North Melbourne with doing. There is not a man in the House who, by his conduct, has done more to break up the liberal party than the honorable member for Ripon, and the existing state of the liberal party in the House is attributable in a great measure to him. I must say that the conservative party are also much in the same condition, and it is the fact of the House being broken up into a number of parties which keeps the Ministry in office. The Government have made a great mistake in treating the present motion as one of want of confidence. As I showed the other night, the honorable member for North Melbourne had not the slightest idea, when he tabled his motion, that it would be regarded in that aspect; and he is not in the least to blame because it has been taken up as one of no confidence. If the Government will persist in accepting as motions of want of confidence proposals which are not intended as such, they have only themselves to blame; but they cannot shut their eyes to the fact that they have been kept in office entirely at the nod and beck of the conservative party. We all know that, if to-morrow the leaders of that party were to say to them "Your time has come," the Government would have to give themselves the "happy despatch." I wish it to be
distinctly understood that in one respect I do not take the same view of the late railway accident that some honorable members both on this (the opposition) and the other side of the House do. I do not say that the blame rests on the Minister of Railways or any member of the Government. I think, however, that I can point out a blot in our railway system. It is quite clear that the time has come when the working of the system should be inquired into. I am surprised that the Government and their supporters should offer any objection to a thorough and immediate investigation. Complaints of the way in which the railway system is carried on have been made for a long time past—long before the present Government came into office. It is an easy thing to find fault, but I am not one of those who condemn the system altogether. I think we ought to be proud of the way in which our railways are conducted, all things considered. Our troubles began at the time that the State bought the Hobson's Bay Company's lines. The officers of the company were all of them men who had had great experience in conducting passenger traffic; but none of them, from Mr. Elsdon downwards, had had anything to do with railway construction. A mistake was made after the Government bought the Hobson's Bay lines, and that mistake has been continued up to the present time, in transferring men from those railways to Spencer-street, and also in putting officers over the heads of men previously in the employment of the Hobson's Bay Company—men who had been brought up and educated in the business of conducting a large passenger traffic. The consequence is that there has been great jealousy between the old employes of the company and those employed on the railways made by the State. In fact, our troubles commenced when Mr. Elsdon was taken from the Hobson's Bay lines to Spencer-street, and appointed Engineer-in-Chief, and head of the whole railway system. In regard to the brake question, I think that the present Minister of Railways is to blame, although not more than some of his predecessors. Considering the great extent of our railway system, and the many thousands of pounds we have expended on rolling-stock, there ought not to have been so much delay in adopting some kind of brake. I am not one of those who desire to find fault with brakes made in this country as compared with others. I would rather see the Woods brake adopted if it is equal to the Westinghouse brake, and I am not in a position to say that it is not. I believe there are faults in it, but that they can be overcome. It would have been more to the honour of the Minister of Railways and his predecessors if, instead of hanging up this question year after year, they had applied the Woods brake to some of the lines and the Westinghouse brake to others, so that the two brakes could have had a fair trial.

Mr. BENT.—We cannot do it.

Mr. LANGRIDGE.—I don't think there would be any difficulty in doing it. What is the use of putting the Westinghouse brake on a few carriages on the Brighton line? That brake is in use all over the world, and has been improved year after year. I believe the Woods brake would be equally as good if it had a fair chance.

Mr. WOODS.—There have been 439 failures of the Westinghouse brake during the last six months.

Mr. LANGRIDGE.—I don't want to discuss that part of the question. From what I have seen of the Woods brake, I believe it has qualities which the other does not possess. I do not think we should be cavilling over this question of brakes year after year. The Minister of Railways should be called upon to apply the Woods brake to the trains on one system of railways and the Westinghouse to those on another system, and then we would be in a position to see which is the best brake and the one most suitable for this colony. There is one point so extraordinary in connexion with the running of the trains on the Hawthorn line at the time of this accident that I wonder why public attention has not been called to it in the press, and in the departmental reports which have been published—namely, the non-employment of a pilot on the line between Burnley-street station and Hawthorn as provided in the regulations. In England, on all the great railways, when any works or repairs are in progress which interfere with the use of one line of rails, a pilot is invariably employed; and there has been a pilot to accompany the trains between Burnley-street and Hawthorn—as there ought to have been when one of the lines was being repaired—the late accident could not have happened. The honorable member for Williamstown spoke as if the Opposition were determined that the management of the railways should be handed over to a non-political board, and be abused the honorable member for Geelong (Mr. Berry) for supporting that course. I did not understand the honorable member for Geelong to do anything of the kind. It is agreed on all hands, however, that there should be some kind of alteration made in the
management of the railways, and, such being the case, surely the wisest plan is to at once set about inquiring in what direction the change should be made. For my part, I do not believe that a non-political board—if there could be such a thing—would manage the railways better than they could be managed under the present system, if proper regulations were adopted and enforced. The talk we hear continually about political patronage is the biggest farce imaginable. Because a candidate for employment as a greaser, a porter, or a labourer comes to a Member of Parliament and gets him to write the words “recommenced” across his application, that is called political patronage. The thing is absurd. I have many times written my name on the applications of candidates during the last 18 months, and I do not remember more than two of those men who got employment; those two were first-class men who happened to suit the positions they obtained. In conclusion, so far as I am concerned—and I believe I represent the feeling of my constituents in the matter—my desire is to see the business of the present Parliament brought to a conclusion as quickly as possible, and honorable members sent to the country. In voting for the motion of the honorable member for North Melbourne, I do not do so with any idea of bringing about a change of Government at present, or with any wish to get on to the Treasury bench. I have quite enough to do to mind my own business, and to do my duty in the House, to be actuated by any desire of the kind.

Mr. JAMES.—Sir, I have come to the conclusion, rightly or wrongly, that the present Premier is never so happy as when there is a motion of want of confidence before the House. When the honorable member for the Ovens (Mr. Kerferd) was speaking faithfully and earnestly the other night, deploving this lamentable accident, the Premier, without any reason that I can discern, except that he revels in such motions, invited him to table a motion of want of confidence. The honorable member failed to do so, but the Premier had not long to wait for his opportunity, for, when the honorable member for North Melbourne (Mr. Munro) brought forward this proposition, the Premier soon manufactured a no-confidence motion out of it. From the manner in which this motion has been spoken of, especially by members of the Government, I imagine that the Premier has instructed his private secretary to keep a careful record of all these no-confidence motions, so that when the honorable gentleman goes to the country he can say—“See how we were harassed by the Opposition, and not allowed to do any work.” I hardly think that any one but the present Premier could have converted the proposition of the honorable member for North Melbourne into a want of confidence motion, for it certainly required the greatest ingenuity to do so. The honorable member for Collingwood (Mr. Langridge) has told the House that there was no preconcerted action in the matter, and I myself can fully corroborate his statement. Then what is there objectionable in the terms of the motion? Surely there can be nothing very wrong in a motion for a select committee to inquire into the management of the Railway department, especially at this particular time, when public feeling and public indignation have been aroused on the subject? I maintain that we, as servants of the public, have a right to concede to their request for an inquiry. If this is a no-confidence motion, I can tell the Premier that he himself, since he has been in office, has proposed and carried more than one motion of want of confidence. The motion refers to the administration of the Railway department, and did not the Premier appoint a Royal commission to inquire into the management of the Railway department? According to the same line of argument that has been adopted with regard to this motion, was not the appointment of the Education department? According to the same line of argument that has been adopted with regard to this motion, was not the appointment of the Education Commission an admission that the Minister of Public Instruction was incapable of attending to the work of the Education department himself, and that it was necessary to call commissioners to his aid? In the same way, was not the appointment of the Tariff Commission a reflection on the Minister of Customs? I maintain that it was quite unjustifiable for the Premier to regard the present motion as one of no-confidence. That the honorable member for North Melbourne, when he gave notice of it, did not intend it as such is evident from the fact that he did not previously communicate with the leader of the Opposition to ascertain whether he would endorse and support it. I am quite sure that we are not justified in considering the honorable member for North Melbourne so foolish a politician as to believe that he would table a motion of no-confidence without obtaining a guarantee of assistance from any quarter. The honorable member put forward his request that the motion should be discussed at once in the most courteous manner, and one showing that there was no
hostility intended. The Premier’s reply was that the proper time to appoint a committee would be when “the intense public feeling has subsided.” That was a lawyer’s answer all over, but I think the honorable gentleman would have done better if he had forgotten, for the time being, that he was a lawyer, and remembered that he was Premier. Of course when a crime has been committed, regarding which there is great public excitement, and the prisoner has been arrested, justice dictates that the trial shall be as far removed as possible from any public prejudices, and no doubt it was this feeling, acting on the legal mind of the Premier, which prompted the answer he gave. But in that case the prisoner would be in custody, and could not escape, whereas, in the present case, further mischief may be done on the railways while the Premier is waiting. We cannot stop the railways, and suspend all the employes of the department, and, as a similar accident may happen tomorrow, it is unnecessary that the inquiry should take place at once, in order that the defects in the Railway department may be remedied without delay. The Government admit that an inquiry should be held, so that the question is only one of time. The honorable member for North Gippsland (Mr. McKean) made out the best case for postponement that has yet come from the Government side of the House, but, according to his argument, there remains no longer any reason why a committee should not be appointed now. The honorable member indicated that the coroner’s inquest would probably be over by Tuesday next, but, if that be the case, a committee can be appointed to-night to commence its sittings on Tuesday without interfering with the coroner’s inquest in any way. The honorable member also spoke about a dissolution, but the Premier has been already told by the leaders of the Opposition that there is no wish to displace the Government at the present time. The wish of the Opposition is that the Government should lead the House until the dissolution takes place, and then let all parties go to the country and take their chance. The object of the motion is not to oust the Government, but to try and prevent, if possible, catastrophes in the future similar to the terrible disaster which has taken place at Hawthorn.

Mr. WALKER.—Sir, I think that our past experience with regard to select committees affords us no ground for supposing that the appointment of a select committee on this question would result in any satisfaction either to the House or the country. In fact, it is well known that the referring of questions to select committees or commissions is only a mode of hanging them up for an indefinite period. The Wattle Bark Commission, for instance, took a vast amount of trouble, and submitted a valuable report, but that report has never been acted upon to this day. The same thing may also be said of the report of the Torpedo Board. Again, a select committee was appointed to report on the use of the Grampian stone for Parliament House, but, although the committee reported some time ago, the matter is still in abeyance, and not likely to be settled this year or next year. If we want to prevent the recurrence of railway accidents like that at Hawthorn, I hold that the mere appointment of a select committee will not produce that result. I consider that no investigation whatever is necessary to enable the House to arrive at what is, at all events, a probable cause of accidents in the future. I go further than many honorable members with respect to the individual measure of blame attaching to the present Minister of Railways, because I maintain that even if the Hawthorn accident were directly traced to any act performed by the Minister in good faith, he is not so much to blame as Parliament, which allows the present system of railway management to exist. Is it consonant with reason that a gentleman without the slightest experience or training should, immediately on assuming office as Minister of Railways, be supposed to be capable of undertaking the direction of such a department, and, to a certain extent, of the traffic? It is utterly absurd to say that it needs a select committee to tell us that such a state of things should be altered. If it is desired that the cause of the accident shall be ascertained, then any tribunal is better for such a purpose than a select committee. The coroner’s inquest, or the trials which will take place in the Supreme Court in connexion with claims for compensation, will afford the public far better and more exhaustive information as to the real cause of the accident than any select committee could do. A select committee cannot take evidence on oath, and its members would not be able to elicit the facts with the same precision that legal gentlemen accustomed to examine witnesses can do. The proper course to take would be to compel the Government to put an end to our present system of railway management without further delay. The system of political management came into vogue when there were only one or two lines, and when
it was possible that a gentleman with no experience, but who had sense enough not to meddle, could get on pretty well as Minister of Railways. But the railway system has now grown beyond the anticipations of the Parliament of that day, and requires to be managed in a very different way. When the suburban lines were purchased by the Government, and the officers of the Railway department were called upon to take charge of a totally different kind of traffic from that which they had previously been accustomed to, Parliament should have immediately altered the system, or, at all events, placed the suburban traffic under separate management. That was not done, however, and every day that has elapsed since has proved more and more the utter impossibility of any political management safely carrying on the enormous traffic which passes over our railway lines. The honorable member for Stawell, himself an ex-Minister of Railways, gave great credit to the present Minister for duplicating the lines between Hawthorn and Richmond, and Windsor and Brighton. But if the Minister of Railways duplicated those lines or carried out any other works against the judgment of his permanent officers he did very wrong; and, on the other hand, if in carrying out those works he simply gave effect to the recommendations of his officers, what credit does he deserve in the matter? None at all. The very fact that a mere layman, without any professional knowledge, should be in a position to say “This line shall be duplicated,” or “That bridge is safe enough,” shows that the system is utterly bad, and nothing will satisfy the country but an entire change in it. The fear expressed by one set of politicians that their supporters may be shut out from participation in the benefits of railway employment cannot be allowed to stand in the way of a real reform of the existing system, and is not, in my opinion, at all justified. The Melbourne Harbour Trust is a body somewhat similar to the board which it is proposed shall manage the railways, yet it has never been accused of abusing its powers of patronage by inquiring into the political opinions of applicants for situations, or of employing unsuitable men on account of their politics. In my opinion, the motion of the honorable member for North Melbourne does not touch the real question at all. If the honorable member had proposed that the Government should be directed to take steps immediately to alter the system of railway management at present in vogue, I would have supported him, but as the motion does not go in that direction at all, but simply proposes the appointment of a committee which can effect no good, I shall vote against it. But I warn the Government that they have already pledged themselves to deal with the question of railway management immediately this motion has been decided. I regard that matter as of such pressing importance that, unless the pledge is kept, I shall vote against them when the question comes up.

Mr. ZOX.—Mr. Speaker, there is no doubt that all over the country the opinion prevails that there is an absolute necessity for an inquiry into the present system of railway management, under which by the force of circumstances a gentleman is placed in charge of the Railway department without the requisite knowledge to administer it. I sincerely hope that the Government, although they oppose this motion as one of want of confidence, will realize the necessity which exists for submitting to Parliament at an early date a measure to place the railways upon a different footing. I do not believe that there is any honorable member who has occupied the position of Minister of Railways that would not be glad to be relieved from the responsibilities which are at present connected with the position, and, as far as patronage is concerned, I am certain that honorable members would rejoice to be relieved of the trouble to which they are subjected day after day by persons asking them to solicit employment for them from the Minister. It is a great pity that some tangible result cannot be made to flow from this motion, and for my own part, if it had only been couched in different language, I would have supported it.

Mr. MUNRO.—How would you word it? Mr. ZOX.—I quite agree that an inquiry should take place, but I entirely object to a select committee of this House being appointed to make the inquiry. A celebrated statesman has said—“Show me the personnel of a select committee, and I will write their report prior to their meeting.” Undoubtedly, however honest honorable members may be in their political convictions, they must be influenced by political considerations, especially at the present juncture, when political feeling runs very high in the House, and a great deal of animus is displayed on both sides. The country wants a change in the existing system of railway management, and the change must come. Had the present motion asked for the appointment of a non-political board of inquiry, and had the Ministry not received the motion as one of want of confidence, I
Mr. Munro’s Motion. [December 14.] Third Night’s Debate. 2863.

would have voted for it. But why should a political committee be appointed? Have we not had sufficient experience of political committees—of Elections and Qualifications Committees for example? Moreover, a select committee could not obtain so valuable and reliable evidence as an independent board, because the witnesses called before it from the public service would have to speak in reference to the acts of various Ministers of Railways, and with the knowledge that if they spoke out they might endanger their own positions. I shall insist on a measure being brought forward for the better management of the railways, and I have no hesitation in saying that, although I have a great regard for many gentlemen occupying high positions in the Railway department, some of them, owing to their having been so many years in the colony, are not altogether qualified to carry on so gigantic an undertaking in accordance with the most improved methods. Unless the Government speedily introduce a measure to deal with the management of the railways, they will wean their supporters from them, and I will be one of the first to say that they are not fit for their position.

Mr. HUNT (who rose amidst cries of “Divide?”) said—Mr. Speaker, I have no desire to prolong this debate, which has certainly not been calculated to elevate this House in the eyes of the country. To my mind, this is nothing but an unseemly scramble for office on the part of the honorable members occupying the front opposition bench and some honorable members sitting in the corner. I regret that the honorable member for Geelong (Mr. Berry) has formed an alliance with gentlemen whom a short time ago he designated as being utterly unworthy for him to associate with.

Mr. MUNRO.—Who are they?

Mr. HUNT.—I do not allude to the honorable member for North Melbourne (Mr. Munro), who, in submitting this motion, has only acted consistently with the strong desire he has expressed at all times to displace the present Government. If the Government had received this motion in any other way than as a no-confidence motion, they would have deserved to be treated with contempt. I assert that there was no other attitude the Government could assume without placing themselves in a grossly humiliating position. In fact, had they taken any other step, I would have at once raised my voice to turn them off the Treasury bench. If the motion before us is not one of want of confidence, I don’t know what it is. If it is the harmless proposition it has been described to be, why has there been all this activity—these button-holings and endeavours to catch votes on any ground that could be thought of? I would, however, scarcely have risen to speak on the present occasion but for a statement made by the honorable member for Castlemaine (Mr. Patterson). That honorable member gave utterance last week in an assertion with regard to me which I now ask him to acknowledge was a mistake, and I will add that, if he has the honesty and candour to make that admission, the remarks I have to offer will be seriously mitigated. An interjection, or even a shake of the head, will be enough for my purpose. What I allude to will be found in the following extract from a speech delivered by the honorable member on Tuesday, the 5th December:

“I believe the present system of railway management is worse than any other which can possibly be conceived. It is grossly bad.”

“Mr. Hunt.—Why did you not alter it while you were Minister of Railways?”

“Mr. Patterson.—I did alter it. I relinquished altogether the exercise of political patronage. And because a few gentlemen like the honorable member for Kilmore and the honorable member for Maryborough (Mr. Bowman) could not get what they wanted, they had the impudence to come down to this House and declare that the system was not being honestly carried out.”

Is the honorable member now prepared to reiterate that statement? I take it that his silence gives consent, and that he adheres to what he said. The honorable member talked of relinquishing patronage, but does he recollect inviting me, when he was Postmaster-General, to nominate for employment in the Seymour Post-office a person outside my electorate, and that when I intimated that the patronage was due to the honorable member for the district concerned—

Mr. PATTERSON.—I never heard before that patronage could be due to any private member.

Mr. HUNT.—Of course nominations are due to honorable members. Does the honorable member recollect that when I made that statement his reply was—“Oh! I will do nothing for that fellow,” meaning the honorable member for Dalhousie, who was then in opposition?

Mr. PATTERSON.—Another kangaroo yarn.

Mr. HUNT.—I undertake to show that I am telling no mere yarn. Does the honorable member deny the truth of my statement?

Mr. PATTERSON.—I have no recollection of any occurrence of the kind the honorable member alludes to.
Mr. HUNT.—I will, perhaps, on a future occasion, substantiate my allegation by calling for the document in which the offer I speak of was made. The honorable member is not the only member of the House distinguished for veracity, as well as other virtues. Nevertheless I admit that any one looking at his countenance would deem it a perfect picture of meekness, humility, and respect—that, in fact, he represented a sort of apostle of the nineteenth century. I suggest that he should not only be known as “Truthful James,” but that the title of “Saint” should be accorded to him.

Mr. PATTERSON.—Make it St. Patrick, and then I might be able to scare away certain snakes.

Mr. HUNT.—If there is any truth in the allegation that the honorable member is associated with a certain prominent countryman of mine in the Ministerial corner, he may possibly some day enjoy the title I refer to. The honorable member has not only distinguished himself by his speeches inside the House, but some of his extra-parliamentary deliverances are of even more importance.

Mr. PATTERSON.—It is the Protestant Hall business now.

Mr. HUNT.—The honorable member’s interjection brings to my mind some of his high-flown utterances in the building he mentioned—master-pieces of recitation got up, no one knows how, but delivered for a purpose no one could mistake. He undertook, in one of them, to cast certain strong reflections upon a particular portion of the country from which I have come. He contrasted one part of that country with another part, and at the same time he professed strong sympathy with the poor suffering people in the south. Of course I mean the south of Ireland. I can imagine him holding up his hands in pious horror, before the benediction was pronounced—I am told proceedings of the kind I am referring to always end with a benediction—and shouting out his anxious hope that the poor people would be rescued from their present position. I don’t know what amount of irritation the honorable member suffered to lead him to indulge in that strain. I don’t know either from what country he is himself derived. The honorable member was in office, although there was not one who was formerly his colleague and is still a member of the great liberal party. But the envy, malice, and chagrin of the honorable member for Castlemaine can perhaps be easily accounted for. It is the penalty which every one who has, like the honorable member for Stawell, used his inventive faculties for the benefit of the country must expect to endure from some quarters. I am, however, myself of a conciliatory disposition, and I desire my present speech to be looked at as conciliatory, for I beg to suggest to the honorable member for Stawell that he should close the breach between himself and the honorable member for Castlemaine by making the latter a peace-offering. It might be a question what form the offering should take, but I think that, inasmuch as the honorable member for Stawell has invented something besides a brake, he would do well and act in a kindly spirit if he made the present consist of a patent cattle-brand eraser. Possibly the honorable member for Castlemaine could find a use for the implement. I may point out also that the honorable member has been rather disparaging in his allusions to a coroner’s jury, whereas I would have thought that he, of all honorable members, would be too glad to show his respect for a jury of his country. I am very sorry the honorable member did not, by rising in his place and acknowledging his mistake, save me from the necessity of talking in this way. I don’t think that before this any honorable member ever heard me make any offensive remark, but I suppose the exception proves the rule. When one meets with characters of a particular kind, it is necessary to treat them in a particular way. Allusion has been made to-night by the honorable member for Ballarat West (Major Smith) to fourteen or fifteen members of the Opposition who would, he said, be found to divide on the present question with the Government, and he described them as representing a class. I don’t know if the honorable member in question with the Government, and he described them as representing a class. I don’t know if the honorable member intended to be offensive, but I felt him to be very offensive. I will point out that when he was in office, although there was not a single countryman of mine in the Ministry, and a number of them voting against it, I stood by them up to their dying moment.
Mr. PATTERSON.—You gave them their last kick.

Mr. HUNT.—I gave them a lasting and consistent support. Coming back to the charge of the honorable member for Castlemaine, I beg to say that I would retire from this House and from political life to-morrow if the honorable member or any one of his former colleagues could prove that I ever asked them or their party for a personal favour. What then becomes of the honorable member's taunt? If he had a spark of decency in his composition he would blush. I have another allusion or two to make before I have done. The Major might have recollected one thing when he spoke to-night of class representation. If report speaks truth, the honorable member once upon a time himself belonged to the mother church, and I need not remind honorable members that as a rule no one can be more malignant or raucous towards a church than one who formerly belonged to it, but afterwards left it. Having dealt in the mildest possible way with the honorable member for Castlemaine, I wish to say next a few things about the management of the Railway department. Does the honorable member recollect one occasion, when he was Minister of Railways, and honorable members generally were so wearied out by the Estimates that there was nothing but cries of "Divide, divide," and I happened to stand up to make an attack, which I believe was warranted, on the administration of the Railway department? The honorable member went almost down on his knees to induce me to desist, and I did desist, but late as the hour was, and tired out as honorable members were, there were still cries of "Go on," which evinced a strong feeling that the state of the Railway department demanded a searching inquiry. Well, that feeling still exists, and, as honorable members know, it is shared even by the Government, who admit not only that our present railway system ought to be made the subject of a close investigation, but that that investigation ought to be entered upon as speedily as possible. At the same time I beg to express the conviction that had they proposed to appoint a select committee or Royal commission to make such an inquiry concurrently with the coroner's inquest a howl of rage would have come from the Opposition, who would have cried out with one voice that what Ministers had in view was most unfair and un-English. What do I find going on round about me—to the right and to the left? Nothing but a mad eager scheming for office. I thank God I can wash my hands in innocence of any offence of the kind. I say that such scheming for office, in season and out of season, is disgraceful to men who profess to be true representatives of the people of the country. Nevertheless, I exclude the honorable member for North Melbourne (Mr. Munro) from the category. In common fairness to that honorable member, I admit that I don't believe he cares for office. When a man on any side in politics acts consistently all through, I am prepared to respect him. I claim no credit to myself for not seeking to hound the Government off the Treasury benches, for I believe that by following such a course the liberal party is likely to lose more than it would gain. It seems, however, as though the force of circumstances makes it a blind necessity with some honorable members to go in for place and pay. I have not sinned much in that way, and I beg to assure the House that my conduct in the past is a fair indication of my conduct in the future. I never yet made an application to any Ministry or Minister for a position for any one as a personal favour, and every application I have sent in has always been couched in terms such as "if consistent with the public interest." I feel some regret that the party I have been associated with so long has now become a collection of atoms. As for the honorable member for Geelong (Mr. Berry), there has been no denial that he is attempting to coalesce with honorable members in the Ministerial corner—that he wants to lie down with the enemy, so that together they may "jump" the Treasury bench. That attempt, I am bound to say, has alienated the little feeling I had for him. I regret that such is the case, because at one time there was no man in the House for whom I had a higher personal respect. What I most deeply deplore is that he has joined himself with that arch-traitor, the honorable member for Castlemaine, in trying, for the sake of office, to throw the country into confusion. If success crowned their efforts, what would be the result? The Railway Bill, which is the sole fruit of the session, and which many country districts look to for salvation, would be shelved. It would be a public disaster if that measure was allowed to lapse. The Land Bill, which is regarded with such hope, as the means of continuing the settlement of the people on the soil, would also be lost. I assert, without egotism, that my voice on this subject is truly a voice from the country. There is little more for me to say.
I, for one, will never be a party to trying to reach the Treasury bench through subterfuges, and by means of falsehoods. I think I have shown the honorable member for Castlemaine as he really is. I don't deny that I have thrown down the gage of battle with him, and I shall now leave him to wallow in the mire he has himself created.

Mr. BOWMAN.—I rise simply to make a personal explanation. I find in the Argus report of last night's proceedings in this House the following:—

"Mr. BOWMAN.—The honorable member for Castlemaine (Mr. Patterson), when Postmaster-General, wrote letters asking me to nominate persons for positions in my district.

"Mr. PATTERSON.—That has been contradicted.

"Mr. BOWMAN.—The letters were sent to you by suggestion of the Deputy Postmaster-General."

Well, I took the trouble to go to the Post-office to-day, and I found there that several letters had been sent to me when the honorable member for Castlemaine (Mr. Patterson) was Postmaster-General, offering me appointments in my electorate. Yet the honorable member said my statement was not true, and that he had contradicted it before. "Truthful Bowman" was what he called me. However, I intend, like the honorable member for Kilmore, to move that copies of the letters sent to me, in which the appointments were offered, be laid upon the table. They will prove that the honorable member spoke untruly, and that he is fairly entitled to the ironical name of "Truthful James."

I have several letters in my possession which completely prove the correctness of my original statement, but I preferred to get evidence direct from the Post-office. The offers I refer to came to me without any solicitation whatever. In fact, I did not know that any vacancies had occurred. As I have said, I will move for copies of the letters in the Post-office, but in the meantime I will read to the House the copy I took of one of them. It will show the value of the honorable member's denial that he had given me an opportunity to make a nomination. The letter I copied is dated December 14, 1879, and it is as follows:—

"Sir,—I have the honour, by direction of the Postmaster-General, to request that you would be so good as to nominate a person for appointment to the charge of the Post-office, Mosquito Flat, vice Mr. W. Innis, who has resigned the office of postmaster at that place.—I am, &c.,

"T. W. JACKSON,

"Deputy Postmaster-General."

If the honorable member will apologize for the language he used last evening, I will not move for the papers. He tried to bring me in guilty of a lie, but I think I have returned the compliment with interest.

Mr. PATTERSON.—Mr. Speaker, I would require to see the original document, with my signature attached, and to look well at it, before I could accede to that request, because I recollect the honorable member for Maryborough (Mr. Bowman) presenting to this House a document bearing the signature of a dead man. Therefore I shall regard with suspicion any assertion of the honorable member unless it is accompanied by absolute proof. However, I am reminded of the saying that if a man were to stoop to throw a stone at every whelp he met with, he would never get to the end of his journey. I am also reminded of the proverb that you cannot touch pitch without being defiled. Therefore I do not wish even to touch the honorable member for Maryborough. However, I may remind the honorable member that, in the course of his public career, he has had to stand before this House, and be publicly reprimanded. With respect to the speech of the honorable member for Kilmore, it would have been a very good one if it had been original; but I have read most of it in the Advocate. I have been told for months that this great event was to come off, and, therefore, the honorable member for Kilmore must not be surprised that it has not shaken me to the extent he might have expected. The country knows well enough that the Flynns and the Flanagans have been doing pretty well lately. It is known how certain honorable members who sit in opposition trudge across the House, one after the other, like long-necked geese, to sit behind the Government when occasion requires; and therefore it is not necessary to declaim against the honorable member for Geelong (Mr. Berry) in order to disguise their intentions, because those intentions are well known and thoroughly understood. I think it was a piece of bad taste on the part of the honorable member for Sandridge to introduce the denominational question into this debate. Have I, at any stage of my public career, mentioned that matter in this House?

Mr. C. YOUNG.—Yes.

Mr. PATTERSON.—On one occasion, when coming with the honorable member for the Wimmera (Mr. O'Callaghan) out of the opposition room, where we had been chaffing, I told him, what I tell the party, that until those who form the Catholic party organization learn how to treat politics like other men who feel and choose for themselves, they will have to be met by an organization equally powerful. What is this thing called the Catholic vote? Don't we see it like a black
cloud floating, for some mysterious purpose, on all sides of this House?

Mr. C. YOUNG.—It is all right when it is on your side.

Mr. PATTERSON.—The thing is altogether too thin. Presently honorable members will have to go to the country and explain what sort of a thing it is that could induce them to make such speeches as we have heard this evening. The public are awakening well up to the importance of conserving our educational system — a system upon which they have set their hearts — and no amount of intrigue, no amount of dissembling, no working among weak-kneed men belonging to other sections of the community, will save them when they are brought face to face with the country. I warn the honorable member of that. I tell him further that the organization I refer to is not only a political organization, but it is a scandalous and a slandering organization; and part of its policy, not only in this country but all over the world — part of its Popish policy — is to ruin men's characters publicly and privately.

Mr. DUFFY.—Mr. Speaker, I rise to a point of order. I submit that the honorable member for Castlemaine (Mr. Patterson) is out of order in using expressions offensive to other honorable members holding a different religion from that of the Protestant hero. I understand the honorable gentleman to charge the church of which I am a member with being a slandering institution. I say that if there is to be debate on the floor of this House, language like that must be put down. The observation of the honorable member applies to every honorable member who holds the religion that is attacked. I believe that no other member of the House would use such language regarding the religion of a fellow member.

The SPEAKER.—I understand the honorable member for Dalhousie to complain of the assertion by the honorable member for Castlemaine (Mr. Patterson) that the Catholic church —

Mr. PATTERSON.—I never mentioned it.

The SPEAKER.—That a certain church — I believe the expression was the Popish church — is a slandering church. I don't think that language can be held to refer to an individual member of this House, and therefore it is not out of order. The use of it is simply a question of good taste or good manners.

Mr. PATTERSON.—The honorable member for Dalhousie was singularly silent a few minutes ago when his friend and colleague to some extent repeated slanders for which men have had to apologize in this House time out of number. It is part of the tactics of the party to which he belongs to continue to insinuate these slanders. These are the ignoble weapons they try to use against public men.

Mr. DUFFY.—It is not true.

Mr. PATTERSON.—And not only public men, for they go into private houses, and do all the mischief they possibly can.

Mr. DUFFY.—Mr. Speaker, is this in order?

The SPEAKER.—The honorable member, I understand, is alluding to a party. To be out of order, his remarks must apply to individual members of this House.

Mr. LONGMORE.—I think the honorable member for Castlemaine (Mr. Patterson) has a right to speak about the Catholic party, because his family is connected with them, and he has used them in Castlemaine for his own purposes.

Mr. PATTERSON.—I scorn and repudiate the interjection of the honorable member, the hero of the Grattan address. My object in referring to this matter is that, knowing the tactics I have referred to will be continued, the public may see the little game which is being played; that light may dawn upon the Advocate-Fenian party which is growing up, so that the public may understand precisely the work that is going on. With regard to the question before the House, is it necessary for me to say one word? We are asked to consider a straightforward proposition submitted by the honorable member for North Melbourne (Mr. Munro); and how have the Government — the gentlemen who are always talking of a straight fight and fair play — met that motion? They have not met it as one of want of confidence. They have met it in such a way that the public will not be able, to-morrow morning, clearly to see who voted for and who voted against what the Premier has made a motion of no confidence. The previous question, which the Premier has moved, is a mere subterfuge, or, to use the language of May, "an ingenious method of avoiding a vote;" and therefore I say that the division which will be taken this evening will not be a fair indication of the feeling of antagonism to the Ministry which prevails at this moment. It will not represent one-half of the unexpressed feeling of dissatisfaction with that Ministry. The honorable member for North Melbourne says a committee should be appointed at once to inquire into the management of our railway system, and also into
the unfortunate accident which has happened at Hawthorn. And what do the Ministry propose? First of all, the Premier says—"I propose, next week, to bring forward a Bill for the better management of our railways," and subsequently he intimates that he is for referring the subject of future railway management to a select committee. Now which course does the honorable gentleman intend to choose? Does he intend to choose the one or the other? Does he intend to take the responsibility, as he ought, of submitting his Bill, or does he propose to send the question to a select committee to do the work for him? That question ought to be answered before the debate closes. The necessity for a change in the management of the railways is admitted on all hands. There may be a difference of opinion as to whether the head of the future management should be political or non-political, but that there should be a different management is admitted on all hands. At present, what can you call the Railway department but a large electioneering committee-room, expending the funds of the State in various ways?

Mr. C. YOUNG.—Did you work it that way when you were in office?

Mr. PATTERSON.—I did not. The Minister of Railways, in order to make himself popular, reduces the fares on the suburban lines to such an extent that the lines won't pay. If our railway system belonged to a private company, it would be worked in such a way as to yield a dividend to the shareholders; but the Minister of Railways seeks to gain popularity by squandering the public funds, and reducing passenger fares to such an extent that the railways won't pay at all. It has been asserted that the present Minister is not responsible for the Hawthorn collision. No one will say that he is personally responsible, but if, as head of the Railway department, he makes certain changes which, judged by the results that follow from those changes, are not wise, there is evidence at once that the administration of the department is not as good as it ought to be.

Mr. ANDERSON.—Those changes had nothing to do with this accident.

Mr. PATTERSON.—I would not like to say that. I find it stated in this evening's paper that Mr. Greene intimated, when Mr. Ponting was appointed to carry out certain works on the Hawthorn line, that he would not be responsible for anything which might happen. The cause of the accident was the allowing of two trains to run on a single line, while the time-table was made up as if a double line was available. It was through taking up one line, and throwing all the traffic on the other line, that the two trains collided. Under the block system, if all necessary precautions are taken, a single line is as safe as a double line, but the block system was not in force on the Hawthorn line. My idea is that the future management of the railways should be altogether non-political, and I believe that public opinion is in the same direction. When I was at the head of the Railway department, Mr. Elsdon complained bitterly of the system which prevailed in connexion with the Spencer-street lines. He said—"When I had charge of the Hobson's Bay Railway, everything went well; if men did not behave themselves they were discharged at once; but here nothing of the kind prevails; political influence is continually being resorted to by the men and their friends." And thus Mr. Elsdon felt that his authority was completely gone. When I was in office, three-fourths of the time of the Cabinet was occupied with railway matters; and it is the fact that nearly three-fourths of the time of Parliament, every session, is absorbed in the consideration of such questions. Nearly the whole of this session has been occupied with railway matters. In fact, honorable members are nothing more than a most incapable and inefficient lot of railway managers of a political character. We are nothing better than a railway board, and yet we are a most unfit body to deal with such a question as railway management. For all these reasons I say there ought to be a change, and that speedily. I am sorry that the Premier and the Chief Secretary do not agree at all in the reform which has been suggested. They thoroughly believe in patronage. However, I believe that public opinion will insist upon the placing of the railways under non-political management. That is the right course to take. I trust the Minister of Railways, for his own sake and the sake of every member of this House, will be bold enough to get rid of the patronage the exercise of which I feel has had very much to do with the disasters which have occurred on our railways.

Mr. GRANT.—I desire to say one word. The honorable member for Castlemaine (Mr. Patterson) has accused the Government of evading the motion proposed by the honorable member for North Melbourne (Mr. Munro) by the previous question. I admit that the previous question has been moved with that object, because the honorable
Mr. Munro's Motion. [DECEMBER 14.] Third Night's Debate. 2869

Mr. MUNRO.—And so you are.
Mr. GRANT.—And so we are not. It is simply with the view of avoiding a false issue that the previous question has been proposed.

Mr. DUFFY.—Sir, at this late hour, I don't intend to go into the main question; but one or two of the observations made by the honorable member for Castlemaine (Mr. Patterson) I would like to say a word about. The other night, the honorable member slandered the honorable member for Kilmore; to-night, the honorable member for Kilmore attacks the honorable member for Castlemaine; and then the honorable member for Castlemaine takes the floor, but, instead of attacking the honorable member for Kilmore, he attacks a section of this House who profess a certain religion.

Mr. PATTERSON.—Oh! keep your religion to yourself.

Mr. DUFFY.—That is what I want to do; and I want the honorable member to keep his religion to himself. I can esteem honorable members who profess other religions than mine; but I don't believe in the sort of political Protestantism expressed by the Protestant hero on the floor of the Protestant Hall. The honorable member for Castlemaine appears to be frightened as much of the Pope and the Popish religion as he was of the kangaroo on a certain historical occasion. But is the honorable member always frighted of Catholics? Does he not, when it suits his purpose, enter into social and political relations with them? Will he not, on this occasion, vote side by side with the honorable member for Belfast? When the honorable member for Geelong (Mr. Berry) was forming his last Government, was not the honorable member for Castlemaine willing to sit in a Cabinet of which the honorable member for Belfast would have been Premier? If that Cabinet had been formed, I wonder what pretty little recitations the honorable member for Castlemaine would have indulged in about Catholics and the Catholic question. I fancy the broad liberal tone which the honorable member would then have adopted would be something very different from the offensive slanders he has uttered to-night. The honorable member for Kilmore has alluded to a certain occasion when the honorable member for Castlemaine gave him, because he was then a friend and ally, a piece of patronage which could not be given to me because I sat in opposition. I thank the honorable member for Castlemaine. He can never say I craved favours from him. I consider it a compliment to be treated in the way I was by the honorable member, on the principle that there are some members of the community whose respect is a degradation, and whose disrespect is the highest compliment a person can receive. I trust the honorable member for Castlemaine is the only member who could have spoken of other honorable members professing a different religion as he has done to-night. The people of this country, notwithstanding the religions they hold, have grown up together in harmony; and they are prepared to continue to live in harmony and do their duty as citizens if men like the honorable member for Castlemaine will only let them alone.

Sir C. MACMAHON.—If in order, I desire to say a few words. I believe I am entitled to do so, because I have not yet spoken on the main question. I spoke twice last night—once on the motion for the adjournment of the debate, and once as a matter of personal explanation.

The SPEAKER.—According to the record kept by the Clerk, the honorable and gallant member has spoken twice—first, on the main question, and, secondly, on a motion for adjournment. But if there is no objection on the part of the House to the honorable and gallant member speaking again, I have none.

Sir C. MAC MAHON.—If I am not entitled to speak, I do not care to speak merely by the favour of the House. I simply wished to mention, before the taking of the division, how I am going to give my vote, and why I give it.

Mr. C. YOUNG rose, but, in consequence of cries of "Divide" from all sides of the House, resumed his seat.

Mr. LAURENS next rose, and was received with renewed cries of "Divide."

Mr. BERRY.—I desire to call the attention of the honorable member for North Melbourne (Mr. Laurens) to the fact that the Minister of Public Works, who rose just now to speak, sat down in obedience to the calls of "Divide," which indicated that unless a division was taken at once the debate would not close to-night. As there is a tacit understanding that a division shall be taken, I would not like an honorable member on this (the opposition) side of the House to insist upon his right to prolong the debate.
Mr. LAURENS.—I have not spoken on this question, and I simply rose to express my dissent from the personal and acrimonious manner in which the debate has been carried on.

The SPEAKER put the amendment in the usual form—"That this question be now put."

The House divided—

Ayes: 33
Noes: 44

Majority for the previous question 11

Mr. Barr, Mr. Bell, Mr. Berry, Mr. R. Clark, Mr. Davies, Mr. Donkin, Mr. Dow, Mr. Fincham, Mr. Hall, Mr. James, Mr. Langridge, Mr. Laurens, Mr. McColl, Mr. Macgregor, Sir C. Mac Mahon, Mr. Mirams, Mr. Munro, Mr. Nimm, Sir J. O'Shanassy, Mr. Patterson, Mr. Pearson, Dr. Quick, Mr. Rees, Mr. Richardson, Mr. Shiels, Mr. Major Smith, Mr. Tucker, Mr. Williams, Mr. Wrixon, Tellers, Mr. W. M. Clark, Mr. Gardiner.

Mr. Anderson, Mr. Bent, Mr. Blackett, Mr. Bolton, Mr. Bosisto, Mr. Bowman, Mr. Brophy, Mr. Burrowes, Mr. Cameron, Mr. A. T. Clark, Mr. Cooper, Sir B. O'Loghlen, Mr. Cunningham, Mr. Duffy, Mr. Fisher, Mr. French, Mr. Gibb, Mr. Gillies, Mr. Grant, Mr. Graves, Mr. Harpur, Mr. Harris, Mr. Hunt, Mr. Kerfeld, Mr. Keys, Mr. Langdon, Mr. Levien, Mr. Longmore, Mr. McKeon, Mr. Orkney, Mr. T. Walker, Mr. Walsh, Mr. C. Young, Mr. Zoë, Tellers, Mr. W. M. Clark, Tellers, Mr. L. L. Smith.

Mr. Cook, Mr. Woods, Mr. Zinke, Mr. McLenn.

TELEPHONE COMMUNICATION.

Mr. A. T. CLARK called the attention of the Speaker to the fact that the managers of the Melbourne Exchange had placed telephonic communication with that establishment at the disposal of honorable members, but full advantage could not be taken of the communication because the telephone room in the Parliament buildings was not open after eight o'clock in the evening. He would suggest that arrangements should be made for the attendance of an official in the telephone room whenever the House was sitting.

The SPEAKER.—I will communicate with the Clerk upon the subject.

The House adjourned at eleven minutes past eleven o'clock, until Tuesday, December 19.

LEGISLATIVE COUNCIL.

Tuesday, December 19, 1882.


The PRESIDENT took the chair at twenty-six minutes to five o'clock p.m., and read the prayer.

DECLARATION OF QUALIFICATION.

The Hon. George Young delivered to the Clerk an amended declaration under the Act No. 702.

SIR CHARLES SLADEN.

The PRESIDENT.—I have, with the assistance of the Clerk of the Parliaments, searched the records for precedents with regard to this House presenting an address to Sir Charles Sladen, and also as to placing on our records an expression of regret at losing him from this Chamber, but I have been unable to discover any of either kind. That circumstance does not, however, preclude me or honorable members generally from expressing what we think in relation to the loss we have sustained. For myself, I may say that I have been intimately associated with Sir Charles Sladen, both publicly and privately, for more than half the period usually allotted for the life of man, and that I never knew anyone more honorable feelings and conduct. Upon all occasions I have found his notion of duty to be to inquire whether a particular thing was right or wrong, in order if it was right to pursue it, or if it was wrong to avoid it; and, moreover, he is one of the very few men I have known who have habitually carried their ideas of what was due from a gentleman into public life. Indeed, it is the experience of all of us that the feeling I am now referring to pervaded every act Sir Charles Sladen performed. I may add that,
while I regret his loss, I am unwilling to come to the conclusion that we have seen the last of him in this Chamber. My hope is that the hour is not very distant when, if he is not well enough to take the prominent part he has done on former occasions, he will be again amongst us, at least to give his advice, especially to the honorable members who have lately joined us, and who have already given us proofs of their capacity.

The Hon. J. GRAHAM.—Mr. President, as an old member of the House, I am hardly surprised at the result of the search you kindly undertook to make in order to ascertain whether there is any precedent for our carrying out the suggestion Mr. Zeal made the other evening. I gather also that the general feeling amongst us is that it would scarcely be wise or expedient for us to create a precedent on the subject for ourselves. We are, therefore, limited to the expression of our individual opinions. Under these circumstances, I will state that no one can feel more deeply than I do the loss this House and also the colony at large have sustained through the withdrawal from political life of Sir Charles Sladen, who has been invariably distinguished for uniform courtesy, unreserved patience, matured judgment, and, above all, a very high sense of honour. I am sure there is no member of this Chamber, from the oldest to the youngest, who does not cordially join in the wish that in his retirement from active political life the honorable gentleman will find a renewal of his health and many years of enjoyment.

The Hon. R. S. ANDERSON.—Sir, ever since I became a member of this Chamber, some seventeen years ago, I have been intimately associated with Sir Charles Sladen in politics, both of us holding somewhat similar political views. I was naturally, during that period, much connected with him in giving effect to them. Of course we occasionally differed in opinion, but in no instance of the kind did I find his personal courtesy vary in the least. Moreover, I can tell honorable members that the labour he went through as the leader, so to speak, of the Council was something that can hardly be known. It would astonish any one to learn its extent. His idea was that he was bound in the discharge of his duty to thoroughly understand every measure brought under our consideration, and, if necessary, to take steps for its amendment, and I am persuaded that it was the extent of what he did in this direction that led to the illness we all deplore. As to the course suggested at our last meeting by Mr. Zeal, I would gladly pursue it, were there any precedent for it, but it appears that no such precedent can be found, and I am satisfied Sir Charles Sladen would be the last to desire us to take any step for which we had no distinct warranty in the shape of former practice. I am also satisfied that he will hold equally dear with any address that could be presented the expression that has been given to the views of this Chamber in relation to his enforced retirement. I hope the time will arrive before long when he will be with us again to give us the benefit of his invaluable counsel and advice.

The Hon. N. FITZGERALD.—Mr. President, I most cordially concur in the remarks that have just been offered, for I have had almost continual opportunities during the last nineteen years of witnessing the patient courtesy, high ability, and unreserved assiduity Sir Charles Sladen always brought to bear on public affairs. It may be truly said that he delighted in doing what he thought was right. At the present juncture, which is an important epoch in the history of this House, so many young members having joined our ranks, it is peculiarly to be regretted that we have not and probably will not have for a considerable time the advantage of his advice and assistance, but I hope his retirement from public life will enable him to regain his strength, and that before long he will again take up a position amongst us. He never promised what he did not intend to perform, and he never failed in fulfilling his promises as far as he possibly could. He was the pride and ornament of this Chamber, and I am sure, were he to return to it, young and old would join in giving him a cordial welcome.

The Hon. J. MACBAIN.—Sir, I regret most heartily that there is no precedent for our adoption of Mr. Zeal's suggestion. Although I had no intimate intercourse with Sir Charles Sladen until during the last few years, I may say that in another place I always tried to act on the principles he laid down for the guidance of this Chamber. Whether we look at his life from a social or political standpoint, the fact remains that not a single member of the community has ever brought a charge against his honour, or cast the slightest reflection upon his motives. No one could charge him even with motives of a partisan nature. I fancy his character as a member of the Council resembled that of a judge, for he appeared to inquire judicially into everything that came before him, and
to be guided to a decision upon it by the real merits of the case. To advance the best interests of the country was undoubtedly the one aim and object of his public career. I regret as much as any honorable member can the circumstances that have led him to withdraw from amongst us, and I am sure we shall all miss his counsel and advice. Indeed the loss of his presence here, and of the ripe experience which has so often aided us, is something that must be deeply felt by the country generally as well as by ourselves. I cordially join in the hope that before long his health will be restored, and that we shall be able to welcome him amongst us once more.

The Hon. F. ROBERTSON.—Mr. President, I beg, as one of the few remaining old members of the House, to express my concurrence with what has just been so well and eloquently expressed of the high tone of Sir Charles Sladen's conduct, and of our regret at the ill-health that has taken him from us. I say this the more willingly because it has been my lot on many occasions to differ very much from that honorable gentleman. Our difference in political matters, however, never lessened my great estimation of him, when I saw the courtesy he bestowed upon every honorable member, no matter what side of politics he took. I also concur in the hope that, at no very distant time, we shall see him amongst us once again. I always regretted that he rather hastily arrived at a decision to retire, because this House has on all occasions been most willing to extend indulgence to honorable members in the shape of giving them time in which they could recruit their health, and I don't think that the recent change in its constitution has brought about any alteration in that regard. I am sorry, therefore, that he did not, instead of resigning his seat, take a temporary leave of absence. I may state also that I have always admired Sir Charles Sladen's great ability, his undoubted integrity, and the wonderful industry he displayed in thoroughly mastering every Bill that came before the Chamber. Many honorable members will bear me out when I assert that I have often expressed my certainty that he could not do such tremendous work for any great length of time without breaking down.

The Hon. J. BALFOUR.—Sir, it was with very great astonishment as well as disappointment that I heard of Sir Charles Sladen's retirement from political life. I was aware of his ill-health, but I hoped it was only of a temporary nature. Like the last speaker, I have been at times in a position of antagonism to the honorable gentleman whose absence we deplore, more especially when I occupied a seat in another place, but during the whole period of that difference I knew I had a political opponent who was sincere in what he was doing, and who would act with the most scrupulous sense of honour. The more I came into contact with him the more I learned to respect him, and ever since I have been in this Chamber, whatever Ministry have been in office, I have always looked up to him as the leader of this branch of the Legislature. There was never any doubt of his wisdom and sagacity, the effect of which was heightened by his legal training, and in addition his character was above reproach. I and others did not always necessarily pin our faith to his views, but we always knew we would get from him a clear and true exposition of the business before us. I think the Council has lost its best member and best friend.

The Hon. H. CUTHBERT.—Mr. President, I have had the honour of the acquaintance, and I may say friendship, of Sir Charles Sladen from the time I entered the Council in 1876, and there has been no member of it whom I could approach; for consultation upon a doubtful question, with greater confidence than I could approach him. I remember well when a liberal Government did me the honour of asking me to accept the position of Postmaster-General. I was then comparatively new to politics, and I hesitated about closing with the offer until I had taken Sir Charles Sladen's advice. Guided by his counsel, and in the belief that I might, by joining the Administration at such an important crisis, be the means of accomplishing some good, I took that step, but I would never have done so had his view been contrary. It then became my lot to lead in this Chamber, and also to have Sir Charles Sladen opposed to me in many debates, but he always conducted himself towards me with the greatest courtesy and good feeling. In his private capacity as a friend, I am sure we must all deeply regret the loss his retirement has entailed. He had a peculiar training that expressly suited him to this Chamber, and with respect to the uniting, I may say unparalleled, industry he displayed in acquiring a complete knowledge of the business presented to us, I think he stood alone. No one could come near him. While we cannot as a House present him with an address, or place our sense of our loss upon
Railway Management. [December 19.] Jolimont Railway Accident. 2873

our records, still I think we can do something. When we look upon the walls of our committee-room we see that they are not yet graced by the portrait of a single worthy citizen, and I think we might mark our respect for Sir Charles Sladen by hanging there a portrait of him that would call to our recollection, when considering important business, the well-known features of one who formerly did so much there, not only to win our admiration and respect, but also for the advantage of the State.

The subject then dropped.

PETITIONS.

Petitions were presented by the Hon. J. Williamson, from residents of the shires of Hampden, Mortlake, and Warrnambool, in favour of a railway from Camperdown to Lintons; and by the Hon. J. Balfour, from residents of Alexandra, praying that the proposed railway from Yea to Mansfield should be carried through Alexandra.

RAILWAY MANAGEMENT.

The Hon. F. T. Sargood asked the Solicitor-General whether it was the intention of the Government to obtain, forthwith, the services of a competent traffic manager, with large experience, either in England or America, in the management of railways; and also whether it was the intention of the Government to introduce, at an early date, a Bill for placing the management of the railways under the control of a board of commissioners, removable only as in the case of the Audit Commissioners?

The Hon. F. S. Dobson stated that the question of obtaining a traffic manager of the kind described had recently received much anxious consideration at the hands of the Cabinet, but no decision had been arrived at. Copies of the Railways Management Bill introduced by the Government in another place would be laid on the table there that evening, and he would take steps to obtain copies for private distribution among members of the Council.

POSITION AND EMOLUMENTS OF OFFICERS OF THE HOUSE.

The Hon. J. Lorimer (in the absence of the Hon. W. E. Hearn) called the attention of the Solicitor-General to the message to the Council from His Excellency the Governor, presented on the 12th October, 1881, informing the House that the Government would be prepared to bring in a measure to make permanent provision for the higher class of officers of the Legislative Council, more particularly of the President and of the Chairman of Committees, and asked when it was intended to introduce such Bill?

The Hon. F. S. Dobson remarked that the Bill referred to would be introduced as soon after the Christmas holidays as possible.

JOLIMONT RAILWAY ACCIDENT.

The Hon. F. E. Beaver asked the Solicitor-General what steps had been taken to give effect to the recommendations of the select committee of the House in relation to the Jolimont accident?

The Hon. F. S. Dobson, in reply, read the following memorandum:

"Recommendation 1.—There should be a brake vehicle with a guard in it at the tail of every train, this vehicle should be provided with a raised roof and extended sides glazed to the front and back; and it should be the duty of the guard to keep a constant look-out from it along his train.

"Remarks.—Brake vans are being supplied so as to enable one to be placed at each end of every train on suburban lines where there are no continuous brakes. In the meantime, American brake carriages are being used for the purpose.

"Recommendation 2.—All passenger carriages should be provided with continuous footboards extending throughout the whole length of each carriage, and as far as the outer ends of the buffer castings.

"Remarks.—This recommendation cannot be carried out until all platforms are brought to a uniform height to correspond with the carriage footboards. This is being done at each station as opportunity offers, and at all new stations a standard height of platform, to correspond with the carriage footboards, is being adopted. At some stations, especially those on newly constructed railways, the floors of the offices and the platforms are built 1ft. 5in. below the standard height; it is therefore impossible to use continuous footboards without extensive alterations being undertaken.

"Recommendation 3.—There should be means of intercommunication between the guard at the tail of every passenger train and the engine-driver, and between the passengers and the servants in the company, as required by the Legislature.

"Remarks.—British legislation does not require communication between guards, passengers, and drivers where the trains stop at stations less than 20 miles distance from each other, and there are no stations on the Victorian railways more than 20 miles apart.

"Recommendation 4.—Continuous brakes, under the control of the engine-driver and each guard, should be employed with all passenger trains. In the opinion of the Board of Trade, due security will not have been taken for the public safety unless some system or systems of continuous brakes has or have been universally adopted, instantaneous in action, capable of being applied by the engine-driver or guard, and automatic in case of accident.
The Hon. D. C. STERRY moved that witnesses be examined the following Thursday with respect to the proposed line from Heathcote to Sandhurst.

The motion was agreed to.

The Hon. W. MOCCULLOCH remarked that, as witnesses were to be examined the following Thursday with regard to the proposed line from Heathcote to Sandhurst, it would be as well to examine witnesses with respect to the line from Heathcote to Elmore on the same day.

The Hon. H. CUTHBERT said there was no such line in the Bill as a line either from Heathcote to Elmore or from Heathcote to Sandhurst, and, before witnesses were brought from the country at considerable expense and trouble, it would be as well for the committee to determine whether they would take evidence with regard to lines which were not proposed in the Bill. In order to test the feeling of the committee, he begged to move that no witnesses be examined on any line not included in the Bill.

Dr. DOBSON suggested that evidence in relation to any line not proposed in the Bill should be postponed until all the railways comprised in the measure had been dealt with.

The Hon. R. S. ANDERSON remarked that it would be as well to decide each case on its merits, as it arose, instead of laying down a strict rule that no evidence was to be taken respecting lines not included in the Bill. It would be rather hard if honorable members were precluded from calling witnesses in support of the extension, for a few miles, of a line proposed in the Bill.

The Hon. J. MACBAIN said he concurred in the remarks of Mr. Anderson. The line from Heathcote to Sandhurst was only an extension of the railway proposed in the Bill from Wandong to Heathcote, and it would be very discourteous to deprive those honorable members who represented constituencies in favour of the extension, of any other line defined in the Bill, of the opportunity of calling evidence in support of such extensions.

Mr. STERRY expressed the hope that Mr. Cuthbert would not press his motion. It would be manifestly unfair to large districts, like Sandhurst for instance, who thought they were entitled to further railway communication not even to hear their case in support of the claims they advanced.

The Hon. W. A. ZEAL said that Mr. Cuthbert himself, on a previous day, examined witnesses with regard to a railway from Scarsdale to Lintons, which was not
included in the Bill, and it was rather unfair for the honorable member to seek to debar other honorable members from exercising a similar privilege.

After further discussion, Mr. CUTHBERT observed that he was surprised at the indulgence of the committee on the occasion referred to by Mr. Zeal. As, however, after examining witnesses himself with respect to an extension not proposed in the Bill, it might seem ungracious for him to prevent a similar course being followed by other honorable members, he begged to withdraw the motion.

The motion was withdrawn accordingly.

The examination of witnesses was then resumed.

Messrs. Charles Rowand, civil engineer; Robert Topping, mayor of Sale; William Little, president of the Avon Shire Council; William Craig, farmer, near Stratford; G. H. Wise, member of the Sale Borough Council; J. W. Pettitt, architect and surveyor, Sale; George Davies, president of the Gippsland Railway League; and G. T. Jones, secretary and engineer of Maffra-shire, were examined with reference to the Sale and Maffra Railway.

Messrs. George Montague, civil engineer and surveyor; Isaac Ramsay, farmer, Jindivick; James Ireland, farmer and saw-mill proprietor, Jindivick; Patrick Sullivan, farmer, Brandy Creek; Francis Barr, farmer and selector, Neerim; Thomas Hogan, farmer and grazier, Neerim; Richard Elworthy, farmer, Neerim; Charles Rowand, civil engineer; and Herbert Skipper, selector, Jindivick, were examined as to the Warragul and Neerim Railway.

At the close of the examination, the Hon. W. PEARSON suggested that as many of the witnesses from Gippsland had travelled to Melbourne and back several times, and could ill afford the expense, it would be only a gracious act on the part of the Government to give them free railway passes.

Dr. DOBSON said he would mention the matter to his colleagues, and ascertain whether free passes could be granted.

At this stage, a motion for reporting progress was agreed to.

The Clerk announced that the President was unavoidably absent.

On the motion of the Hon. T. F. CUMMING, the Hon. F. S. Dobson took the chair as Acting President.

Progress was then reported.

The House adjourned at fourteen minutes past eleven o'clock.

LEGISLATIVE ASSEMBLY. Tuesday, December 19, 1882.


The Speaker took the chair at half-past four o'clock p.m.

CHRISTMAS HOLIDAYS.

Sir B. O’LOGHLEN gave notice that next day he would move that the House, at its rising on Thursday, adjourn until Tuesday, 9th January, 1883.

Mr. BERRY said he concurred with the Premier in the short adjournment which he intended to propose for the Christmas holidays; but he thought it would have been more satisfactory if the honorable gentleman had gone a little further, and had indicated that, considering the state of public business, it was the intention of the Government, when the House met on the 9th January, to commence with the Estimates and go on with them until they were finished, and to postpone all other business—unless there was some of such an urgent character that it could not be postponed—with the view of having an early dissolution of the House, in order that the new Assembly might be placed in a position to have a fair control over the finances of the year 1883-4. It was quite clear that honorable members had lost control of the finances for the current year, and the least they could expect from the Government was a distinct statement that they would take such a course as would prevent the new House being placed at a disadvantage, by enabling it to deal with the finances for 1883-4 before the commencement of that financial year. If the Premier would make an announcement to the effect which he (Mr. Berry) indicated, the proposed brief adjournment would be perfectly satisfactory. ("No" from the Ministerial benches.) In the present state of public business it would not be right for the House to adjourn for a longer time than was absolutely necessary for the Christmas holidays; and he wished the Premier to satisfy the House that, in asking for a short adjournment, it was not the object of the Government to bring honorable members back merely to waste time over Bills which could never become law.
Sir B. O’LOGHLEN stated that when the House re-assembled after the Christmas holidays it would have a great deal of business to dispose of, in addition to the Estimates, and he had not the slightest doubt that it would discharge that business in the remaining portion of the session just as it had already discharged a large quantity of business this session.

REGULATION OF MINES STATUTE.

Mr. JAMES asked the Minister of Mines if it was the intention of the Government to introduce, without any unnecessary delay, a Bill to amend the Regulation of Mines Statute?

Mr. BURROWES said that the Mining department had collected a good deal of information, and a number of suggestions had been forwarded to it by the mining community, for the amendment of the Regulation of Mines Statute, but he did not think it would be possible this session to introduce a Bill to amend the law. The preparation of such a measure would require a great deal of care and attention.

Mr. RICHARDSON gave notice that, next day, he would move for leave to introduce a Bill to amend the Regulation of Mines Statute.

ST. GEORGE'S HALL.

Mr. ZOX, without notice, asked the Chief Secretary if he had granted a licence for St. George’s Hall to be used for a musical or dramatic performance? The hall had been closed for some time past in consequence of an official report that public safety would be jeopardized if it was permitted to be used for such purposes.

Mr. GRANT suggested that the honorable member should give notice of the question.

Mr. ZOX said he was informed that the hall was to be used for a series of entertainments, to commence in a few days, and that the granting of a licence had been objected to both by the Central Board of Health and the local board. If it was true that the licence had been granted, would the Chief Secretary cancel it?

Mr. GRANT said he had never granted a licence for a place of public entertainment without the express consent in writing of the Central Board of Health.

STOCK TAX.

Sir J. O’SHANASSY called attention to the following motion standing on the notice-paper in his name:

“That, in the opinion of this House, the tax on live stock imported into Victoria should be repealed.”

He said he desired to remind the Government that this motion had been on the paper for a long time, and that some months ago the Tariff Commission presented a report recommending that the stock tax should be repealed. He begged to ask the Premier when he would afford an opportunity for the House to discuss the motion, or if the Government intended to introduce a Bill to abolish the tax?

Sir B. O’LOGHLEN replied that in the present state of public business he could not say when the honorable member would be afforded an opportunity of proposing the motion.

AGRICULTURAL COLLEGE.

Mr. CONNOR asked the Minister of Agriculture if he had considered the advisability of placing a sum of money on the Additional Estimates for the establishment of an agricultural college where scientific farming, coupled with chemistry, botany, forestry, and veterinary practice might be taught to students on moderate terms?

Mr. C. YOUNG said the establishment of an agricultural college had been under his consideration, but it would not be possible to place a sum on the Additional Estimates this year for that purpose.

FALLS BRIDGE.

Mr. MACGREGOR asked the Minister of Public Works when the new Falls-bridge across the river Yarra was to be erected? On coming over the present bridge, one day last week, he witnessed a collision just at the culvert, whereby the passage of drays and other vehicles across the bridge was stopped for a considerable time.

Mr. C. YOUNG stated that the plans for the new Falls-bridge were being prepared, and would be completed by the end of February. Repairs of a substantial character were made to the present structure some time ago, and there was no reason to fear that there would be any stoppage of the traffic pending the construction of the new bridge.

VACCINATION.

Mr. GARDINER asked the Chief Secretary if he would give instructions that the hospital at the Model Farm might be used while vaccination operations were being carried on?

Mr. GRANT, in reply, read the following memorandum from the Under-Secretary:

“The Government medical officer reports that to allow vaccination to be carried on at the
Industrial Schools Hospital, in the Royal-park, would be highly injudicious, as it would probably be the means of introducing the germs of infectious diseases, such as measles, scarlet fever, &c., into the schools, by means of the children brought for vaccination, or of the people bringing them, and thus spreading those diseases through the country through the school children, when these are "boarded out." The Central Board of Health, however, are about proposing arrangements for giving greater facilities for calf lymph vaccination at the Model Farm."

PUBLIC INSTRUCTION.

Mr. GRANT presented an estimate of expenditure proposed to be incurred by the Education department during the year ending 30th June, 1883, under Act No. 737.

The estimate was ordered to be taken into consideration next day.

MINING DISASTER AT CRESWICK.

Mr. COOPER moved—

"That this House will, to-morrow, resolve itself into a committee of the whole, to consider the propriety of presenting an address to His Excellency the Governor, requesting him to cause the sum of £1,000 to be placed upon the National Subscript ion for the relief of the widows and families of the 22 miners who lost their lives through the flooding of the New Australasian mine at Creswick."

In the motion as originally drafted (said the honorable member), the amount named was £5,000, but, at the suggestion of several honorable members, who assured me that there was very little probability of the House agreeing to vote £5,000, I altered the sum to £1,000. If it be the desire of honorable members that I should amend the motion by substituting £5,000 for £1,000, I shall be only too pleased to do so, because my own opinion is that the case ought to be dealt with in a large and liberal spirit, and that £5,000 would not be too great an amount for Parliament to vote, considering the circumstances surrounding the disaster. I am aware that some honorable members are under the impression that, in proposing the motion, I am asking the House to establish a new precedent, but the House has already established a precedent in a case which, though not exactly of the same kind, is to some extent on all fours with it. I refer to the fact that the Legislative Assembly of Victoria voted £25,000 towards the fund which was raised throughout the British Empire in aid of the widows and orphans of our fellow countrymen who were killed during the Indian mutiny. In doing so, the House recognised the principle that, when a national calamity happens, and a national effort is required, the Parliaments of the various sections of the British Empire are perfectly justified in voting money out of the funds under their control to relieve the suffering and distress caused by the disaster. The recent mining accident at Creswick, so far as Victoria is concerned, is not a local, but a national case. There has not been such a calamity before in the history of mining in this colony. It has been urged that the motion, if carried, will have a tendency to restrict private benevolence in aid of the widows and families of the 22 men who have lost their lives, but that idea is utterly disproved by the steps already adopted on their behalf by the public throughout the length and breadth of the colony. Last Thursday night I initiated a private subscription amongst honorable members, and every member to whom I appealed generously, spontaneously, and cordially responded. The liberality of honorable members has been reciprocated amongst the whole community. Nothing could possibly exceed the enthusiasm and generosity displayed at a public meeting held in Melbourne to express practical sympathy with those whom the sad calamity has placed in circumstances of poverty and distress. The action of His Excellency the Governor and the Bishop of Melbourne (Dr. Moorhouse), and others, in connexion with the matter deserves, and will doubtless receive, the warmest thanks of every true man in the colony. Not only in Melbourne, but in Sandhurst, Ballarat, Clunes, Creswick, and other places, liberal subscriptions have been made, and there is every prospect of a large relief fund being collected. It must be remembered, however, that a very considerable sum will be required, because, in order to give effect to the sentiment of the community, it will be necessary to raise a sufficient amount to place the whole of the widows and orphans, and other persons who were dependent upon the deceased for their means of livelihood, entirely beyond the reach of want. I am convinced that if the House votes £1,000, it will do what 19 out of every 20 persons in the colony will heartily approve of. It has been said that if the House agrees to such a vote it will act directly contrary to the usual practice of Parliament, but it is easy to point out that such is not the case. The principle on which the annual vote for charitable institutions is based is that Parliament will supplement the amount raised for those institutions by private contributions. I am simply asking that the same principle shall be applied in the present case. I am asking
that the House shall recognise the liberality of the public by supplementing that liberality with a vote for a certain amount, though not in the same proportion that the vote for hospitals and benevolent asylums bears to the amounts contributed locally towards those institutions. Every one deeply regrets the late accident at Creswick.

Mr. R. CLARK.—It was no accident.

Mr. COOPER.—I will not discuss whether "accident" is the proper term; but, at all events, it was a dreadful calamity, and I am sure that every member of the House, as well as every person in the community, must deeply regret the occurrence of such a calamity. I will ask honorable members to look at a few of the facts connected with it. There are circumstances surrounding the accident which, apart from the calamity itself, must be regarded as very satisfactory in indicating the national character. We have read much of heroism on the battle field, in the hospital, and on the sea, but in connexion with the Creswick disaster some of the truest heroism was displayed which the world ever saw. I was very pleased to hear the references made to that heroism by some of the speakers at the meeting held at the Melbourne Town Hall; and I am glad that the honorable member for Stawell has given notice of a question as to the desirability of instituting a Victorian order of merit for the purpose of recognising in a national way such acts of bravery as those which are related in connexion with the late accident. There are many instances recorded of the unselfish heroism of the men when confined in the mine. One of the unfortunate—a youth named Hodge, who was born in the town of Creswick—concerned himself not about his own life, but about his father's life. When we see the youth of the colony actuated by such noble feelings, there is nothing to fear for the future. Again, take the conduct of the man Maloney, who said to one of his fellow workmen, while they were imprisoned in the mine—"This is a little higher ground where I am; come to this spot; I am stronger than you are, and I can take your place." When men do such deeds, not in the excitement of the battle-field—not when thousands are gazing upon them—but in the depth and darkness of a mine, with water surging up to their very necks, I think we may well be proud of them, and that their deeds deserve some such recognition as the honorable member for Stawell suggests. We must also not forget the action of many brave men who worked hard to relieve the miners while they were confined in the mine. It is impossible to conceive of greater energy than mining inspectors, mining managers, and others displayed in endeavouring to rescue the sufferers from their terrible position. As long as there was a possibility of carrying a glimmer of light or a ray of hope to the imprisoned miners, these brave men were prepared to risk their lives in the attempt to save those of others. I think that, in recognition of the heroism displayed both by the dead and by the living, as well as to relieve the distress of the widows and families of the deceased, the House ought to assent to the proposal which I have submitted. It has been suggested that the vote should take the form of establishing a national fund, and probably that would be the better form for it to assume. If, therefore, the House is prepared to vote a larger amount and establish a national fund to meet accidents of a similar kind which may occur in future, I will give my cordial support to such a proposition. In any event, I trust that the House, considering the exceptional circumstances of the case, will not refuse to vote a sum of money towards a national subscription for the relief of those who have been deprived of their means of support by the Creswick disaster.

Mr. RICHARDSON.—Sir, I beg to second the motion. I quite concur in the tribute of respect which has been paid by my honorable colleague (Mr. Cooper) to the heroism of the men who perished in the accident at Creswick. I do not think that it is necessary to recount their deeds again in order to move honorable members to do such an act of justice as they are now asked to perform, for the incidents connected with the calamity have been published throughout the length and breadth of the country. The whole community feels deep sorrow for the calamity, and sincere sympathy with the widows and families of the unfortunate men who have lost their lives. I fully appreciate the motive which has induced the honorable member for Stawell to suggest that an order of merit should be instituted for the recognition of such heroic acts as have been performed in connexion with the disaster, but I believe that the best recognition—and the one which the mining community most desire—would be the adoption of steps which would prevent the recurrence of any such catastrophes in future. There are two suggestions which I will make to my honorable colleague. The first is that he should amend the motion by substituting "£5,000" for "£1,000," because, if the object of the motion is not
questioned, I am quite sure that the House will vote £5,000 as readily as it would vote £1,000. The second suggestion is that he should omit “22” from the motion. I go further than my honorable colleague does in laying down the basis on which this money should be voted. I do not think that the action of Parliament in the direction proposed should be confined to the recent accident, or to the widows and families of those who have been killed by the accident. The recent accident is only one of a number of fatal mining accidents which are continually occurring, and have the effect of leaving a number of widows and orphans badly provided for. A few weeks ago a man was killed in a mine in the Creswick district, and his widow only received £20 from the Miners’ Association and £150 from the company who are the owners of the mine. She has no other means of providing for herself and her children. The position in which she has been placed by the death of her husband is exactly the same as that in which a large number of persons have been placed by the more recent accident. The number of men who lose their lives by accidents in mines throughout the whole colony is about 60 per annum, and if Parliament makes provision for the widows and families of some of those unfortunate men why should it not make similar provision in the other cases? There is the same reason for providing for the survivors of the 60 if the men’s deaths are spread over a period of twelve months that there is for doing so if they are killed in one week. I think my honorable colleague will act wisely in proposing that £5,000 shall be voted to meet the necessities of the case; indeed, I would prefer the amount being £10,000.

An Honorable Member.—Why not make it £20,000?

Mr. RICHARDSON.—I am simply stating that every year 60 men lose their lives by mining accidents, and that, if Parliament votes money in aid of the funds for the widows and children of those who are killed in one accident, the same principle ought to be applied in other cases. I think it would not be difficult to show that in adopting the proposition we would not be departing from a rule which has already been laid down and acted upon by the Parliament of this country. I trust the Treasurer will be prepared to respond to the appeal I now make—that the amount asked for shall be £5,000 instead of £1,000, and that the purpose of the grant shall be not merely the relief of the widows and orphans of those who lost their lives at Creswick, but the formation of the nucleus of an accident fund, out of which provision may be made for the widows and orphans of the victims of future mining accidents. The disaster at Creswick has been the means of directing particular attention to the necessity for an accident fund—a fund which should have been in existence long since.

Sir B. O’LOGHLEN.—Mr. Speaker, as a rule, the Government would be inclined to oppose any motion of this kind, but they recognise that the circumstances of the Creswick case are peculiarly exceptional. A heavy calamity has occurred, and the Government consider that the case is one in which, without making a precedent, this House can take a generous view. As to the idea of increasing the amount from £1,000 to £5,000 or £10,000, what I have to say is that it will be a matter for the after consideration of this House whether it will be advisable for the State to subvent any sum which may be raised by the public for the purpose of creating an accident fund of a national character. For the present, we have to deal only with the Creswick disaster. The whole country has been agitated from end to end with what has happened at Creswick—not alone with the misfortune which overtook those who lost their lives, and has overtaken those who were dependent upon them, but, as the honorable members who have spoken observe, with the heroism of the men who strove, at the risk of their own lives, to rescue their co-workers. For example, the manager of the mine, and the manager of a neighbouring mine—

Mr. WOODS.—They are not mentioned.

Sir B. O’LOGHLEN.—I know they are not; and I say the greatest tribute that can be paid to the heroism of such men is for the Legislative Assembly to vote a sum of money for the relief of the widows and orphans of those they were unable to save. It is deeply to be regretted that the exertions of those men were not rewarded with the supreme success which was hoped for, though they have been rewarded by the saving of several lives. I think the Assembly will see that it is in unison with the feelings of the whole people that the national subscription now being raised for the relief of the widows and orphans should be headed by a contribution from the State, not sufficient to cool the ardour of the general public, and yet sufficient to stimulate them to give what they can to the good work—a contribution which will show that Parliament recognises the
Creswick calamity as something, in weight and gravity, beyond ordinary calamities. Therefore the Government are willing to agree to the motion of the honorable member for Creswick (Mr. Cooper). As to the further grant which has been referred to, that, as I have said, can wait until we see what action may be taken by the public in connexion with the creation of the nucleus of a national accident fund. It will be time enough then for this House to consider whether the State should subvent the sum that might be contributed by the public for that object. Whatever objection may be taken to the grant as a matter of principle, seeing that it is the money of the whole of the taxpayers of the colony that we have to administer, yet, in view of the substantial recognition on the part of the public of the gravity of the calamity which has occurred and the heroism which has been exhibited, I don't anticipate that the House will refuse to acquiesce in this grant of £1,000, which represents about a farthing for every man, woman, and child in the colony.

Mr. MIRAMS.—Mr. Speaker, I am astonished to hear the tone in which the Treasurer has addressed the House on this occasion. I would have thought that, before endorsing the motion, the honorable gentleman would have been prepared to place before this House some more substantial reason for departing from our usual custom, and establishing a precedent, as no doubt we shall if this motion is agreed to, than that public feeling is excited, and that the public sentiment goes in this direction, and that, therefore, we are bound to swim with the stream, and do what we otherwise would not do with the money which the taxpayers, as the Treasurer has justly said, have placed under our care. Now I look upon the proposal just from the opposite direction. We are supposed to be men of thought, judgment, and discretion, who, in dealing with the public funds, ought at all times to endeavour to stem the tide in the interests of right and justice rather than swim with it in the interests of sentiment, and in order to be in accord with the popular feeling of the moment. I submit that the honorable member for Creswick (Mr. Richardson) has put the case absolutely as it ought to present itself to every honorable member. There is no reason in justice why we should treat the parties connected with the Creswick disaster differently from what we would treat them if they were left destitute under less exciting and less exceptional circumstances. If there are 60 men killed every year by accidents in mines, why, because these accidents occur one at a time, should the bereaved families be left without consideration on the part of this House? Apparently the only reason why the House is now called upon to vote £1,000 is that 22 miners have been killed all at once. I regard the proposal as premature. The public are responding to the call which has been made upon them in a way which, I venture to say, will be amply sufficient for all the necessities of the case. If, when the subscription lists are closed, and the circumstances of those who are left destitute become known, it is found that the money which the public have voluntarily contributed is not sufficient to meet the necessities of the case, it will be time enough then to come to this House and ask that the amount should be supplemented by a vote on the Estimates. I regard the motion not only as premature, but also as calculated to prevent the flow in of private and voluntary contributions. When the public become aware that £1,000 of the money which they have contributed by taxes to the public exchequer is to be granted in a lump sum to the relief fund, will they not very naturally say that there is no necessity for them to subscribe out of their own resources?

Mr. R. CLARK.—Not a bit of it.

Mr. MIRAMS.—I venture to say it would be the case in very many instances. At any rate, the motion is likely to have that result; and, therefore, I say that before entertaining any such proposition we ought to wait and see what the private contributions of a voluntary character amount to. We have no evidence yet before us to give us any real tangible idea as to what the necessities of the Creswick case will be. We know nothing of the position in which the men who lost their lives left their families. We do not know how many of the orphans are in a position to support themselves. Some of them may have been left very well provided for. But we have nothing before us to warrant the assumption that the public charity will not absolutely be ample to meet the necessities of the case. Then why should we be called upon to establish a precedent which we will find it very hard to get away from on a future occasion? I read yesterday of two accidents in mines. One was the case of a man who died in the Sandhurst Hospital from injuries which he received through falling down a shaft two or three weeks ago. Has that man left a wife and family; and, if he has, why should they not participate in this proposed vote of £1,000?
Mr. BURROWES.—That man provided for his family.

Mr. MIRAMS.—And may not that prove to be the case with some of the 22 men who lost their lives at Creswick? The interjection of the Minister of Mines furnishes an additional argument why the House should delay passing this motion. The other case was that of a man in the Castlemaine Hospital, who is expected to die from injuries he sustained while endeavouring to escape from a mine into which foul air had penetrated. If that man should die, why should not his family, as well as the widows and orphans at Creswick, benefit by this motion? Then, again, I would like to know why the charity of the House should be limited to accidents arising from the prosecution of mining pursuits? No later than a month ago, a widow and six children—the youngest child a baby, and the eldest only 12 years old—were left absolutely unprovided for, through the husband losing his life in the discharge of his duty in the Bay.

Mr. R. CLARK.—There is no analogy at all between the cases.

Mr. MIRAMS.—I think the poor widow will see a great analogy when she finds that this House has voted £1,000 in addition to the £10,000 which will probably be raised outside for the sufferers by the Creswick accident, while she and her little ones are left uncared for. Fortunately for that poor woman, there is in existence a Victorian Shipwreck Relief Society, an organization which took its rise out of a feeling of public sentiment evoked by a sad accident at sea some years ago. Although that society had only £1,200 to its credit, it consented to give £100 to the widow and orphans provided their friends would raise a corresponding amount. The amount was raised with difficulty, and the result will be that the widow and six children will have a cottage in which they will be able to live rent free. But if this motion for a grant of £1,000 to the Creswick families is passed, on the principle of doing justice all round, I shall table a motion for the giving of a proportionate amount to the widow and her six orphans in Collingwood. In dealing with the funds of the country, we have no right to make fish of one and flesh of another. I will willingly support a vote of £1,000, or any larger sum that may be necessary, for the purpose of establishing a fund out of which all claims for relief, in consequence of accidents, may be met, and if to such a fund working miners were to contribute one per cent. of their wages, and mining shareholders were to contribute one per cent. of their dividends, there would be a sum of nearly £100,000 available every year for the relief of cases of distress arising out of mining accidents, and this would be more than ample.

Sir J. O'SHANASSY.—Sir, I think the honorable members for Creswick (Mr. Cooper and Mr. Richardson) deserve praise from their constituents and the public for the charitable feelings they have displayed in connexion with this matter. The first-named honorable member, as knowing more of the locality and the circumstances of the accident probably than any other honorable member, pursued a very natural course in giving notice of the present motion; but since he gave that notice, one universal feeling on the part of the colony has been manifested. Indeed I do not remember such another exhibition of widespread sympathy and charitable feeling about a local matter. I believe the honorable member (Mr. Cooper) never anticipated, when he tabled his motion, that there would be such a universal expression of sympathy for those who have been bereaved as has arisen. On that ground, I think the honorable member ought to reconsider his position. Scarcely was the extent of the terrible disaster at Creswick realized than almost without a moment's notice—without organization or the formation of any general plan, on the impulse of charity—the public came forward with voluntary contributions for the relief of those who had been thrown helpless on the world. A general committee has been formed, consisting of a large number of respectable citizens, and people in all parts of the colony are willing to co-operate with that committee. I know something about collecting money for benevolent objects, and I believe I am within the mark when I say that, considering the universality of the movement, in all probability the public subscription will exceed £20,000. Now, if such a sum as £20,000 can be raised by voluntary contributions, and if, moreover, respectable persons are willing to take charge of some of the orphans, and if employment can be found for others, why should Parliament interpose? I have a firm conviction, founded upon long experience, that voluntary efforts of this kind should be left to their own operation. I am afraid that a grant by the State of a sum like £1,000 is calculated to limit the flow of liberality on the part of the public—to furnish many persons with an excuse for not subscribing. To show that I am warranted in calculating that the public will subscribe as much as £20,000, I may mention that by means of such a simple method of
organization as that which has been adopted in Melbourne, I was able, not long since, when the colony was in less prosperous circumstances than it is now, to raise a sum of £33,000 for the relief of distress in a distant part of the empire. Under these circumstances, I think it would be unwise for Parliament to interpose with a vote which might have the effect of checking the flow of benevolence on the part of the public. With regard to the vote of £25,000 for the relief of the sufferers by the Indian mutiny, I may mention that I it was, as head of the Government of the day, who put that sum on the Estimates. I did so because I regarded the calamity as an Imperial, and not a local, one—a calamity which could not be met from the resources of British people resident in India, most of whom were officers whose incomes were limited to their pay. But the two cases are not at all parallel. In fact, there is no precedent for what the honorable member for Creswick (Mr. Cooper) proposes, and no case has been made out for establishing a precedent which, as the honorable member for Collingwood (Mr. Mirams) has observed, would work most inconveniently in the future.

I am aware that the Government of New Zealand have tried to meet cases of the kind by the formation of a universal assurance fund, which has so far worked very well; and this debate will have a profitable termination if it leads to the creation, on some well-defined plan, of a general fund which will be available for meeting cases of distress arising from accidents—not only mining accidents, but other accidents as well. Then again, I submit that, before Parliament votes any money at all, we should have a report from the Minister of Mines as to the accident at Creswick—whether it was preventible, or whether it was caused by recklessness on the part of the mining proprietors, who simply, for their own gains, caused men to work where mining operations were unsafe. All these things will have to be inquired into. And, therefore, I would suggest to the honorable member for Creswick the propriety of postponing his motion for a month, or for such time as is necessary to ascertain the result of the subscription out-of-doors.

Mr. JAMES.—Sir, whether the motion proposed by the honorable member for Creswick (Mr. Cooper) is to form a precedent or not, I shall vote for it. Reference has been made to the propriety of establishing a general accident fund; but I submit that one of the first things which we as a Legislature ought to do is to take steps to ascertain whether such accidents as that which we have now to lament cannot be prevented. If mining accidents can be prevented, there will be no necessity again for the public outside to subscribe as they are subscribing now. A few years ago, Parliament passed an Act for the regulation and inspection of mines. That measure was looked upon, at the time, as an intrusion upon the rights and privileges of the mining community. In fact, it was very unpopular. Since then, however, the mining community have come to regard it as a measure of very great usefulness. However, they do not regard it as perfect, and from time to time the Mining department have been petitioned to obtain an amendment of the measure. Of course no Act of Parliament can be so perfect as absolutely to prevent mining accidents. For example, the death at Sandhurst referred to by the honorable member for Collingwood (Mr. Mirams) was caused by plain neglect of duty, as laid down by the Act, on the part of a mining manager. However, that is no reason why the law for the regulation of mines should not be as complete as possible. It is pretty well known by those who are engaged in mining pursuits that in mines held by companies that do not happen to be very rich, little matters which should be attended to are often neglected, and this neglect is sometimes attended by disastrous results. If provision for these matters of detail is not made compulsory by law, companies do not see why they should go to the expense of attending to them. But if the law requires them to be observed, and if the law is properly enforced, we may naturally expect fewer accidents in the future, and less necessity for making provision for the widowed and the fatherless. Early this evening I rose in my place and asked the Minister of Mines to take into consideration the desirability of proposing an amendment of the Regulation of Mines Statute. The honorable gentleman stated, in reply, that he regarded an amendment as necessary, but that it required a great amount of care. That is true; but let me ask the Minister whether, in the face of this terrible calamity at Creswick—which some people say was preventible—it would not be wise on his part to take the matter in hand at once, and bring down a Bill which should embody some of the amendments suggested to him and his predecessors as means to avert mining accidents in the future? I am not aware that the Act makes any special provision with regard to the ventilation and flooding of mines.

Mr. BURROWES.—Yes.
Mr. JAMES.—If it does, and if the provision were observed in the Creswick mine, I am at a loss to account for the disaster of last week.

Mr. R. CLARK.—That is sub judice.

Mr. JAMES.—I am not going into that question. I would not have anything to say about it for the simple reason that the manager of the Creswick mine is a man who was an old miner with myself some 25 or 26 years ago—a man for whom I have the highest respect. However, I may say that it appears pretty plain, from the accounts which have been published of the disaster, that if the drive which was reached by the “jump ups” had been open from one end to the other, all the men who were imprisoned would have escaped.

Mr. COOPER.—The “jump ups” were not high enough.

Mr. JAMES.—I mention this to impress upon the Minister of Mines the necessity for attending to these things lest we should have a disaster similar to that of Creswick next week, or even to-morrow. I recollect that, when the Bill which became the Regulation of Mines Statute was before this House, I endeavoured to have certain provisions embodied in the measure, but I was unsuccessful. I suggested the adoption of certain mining arrangements previously unknown to this country.

Mr. R. CLARK.—Why not keep to the question before the House?

Mr. JAMES.—I consider that what I am referring to is of the highest importance. However, since honorable members apparently wish to hear no more on that head, I will conclude by urging the Minister of Mines to take immediate steps for the amendment of the Act I have mentioned. I believe the result of such action would be that more would be done than could be done in any other way to prevent the recurrence of disasters like the one we now so much deplore.

Mr. BURROWES.—Sir, I was rather astonished to hear a gold-fields member like the last speaker express the opinions he did of the Regulation of Mines Statute. I am under the impression that that measure, which was carried into law at the instance of Mr. Angus Mackay and the honorable member for the Ovens (Mr. Kerferd), when the former was the Minister of Mines and the latter was the Attorney-General of the Francis Administration of 1873, has been of very great use indeed in preventing mining accidents, and I may add that ever since I have been in office it has been administered to the utmost possible extent. As to the late terrible accident at Creswick, the most searching inquiry possible will be made into its causes and everything connected with it. Three of the best mining inspectors of the colony are now on the scene, making surveys and investigations, and I think that until a full report on the subject has been received from them it will be advisable for honorable members not to dwell on the matter with any particularity. I have formed an opinion of my own on the matter, but I don’t intend to let it sway me one way or the other until a complete survey of the mine has been made, and a report on the subject has been carefully drawn up by competent hands, and laid before me. Nevertheless I may take the opportunity of thanking the officials of the Mining, Postal, and Telegraph departments who gave special assistance during the three trying days of the disaster. The telegraph officers I allude to kept their offices open, without any special request on the subject being made to them, from 7 a.m. one day until 2 or 3 a.m. next day, and the other officers I refer to assisted in every way in their power. I have also to thank the honorable member for Williams-town for the help he rendered in obtaining and despatching divers and diving apparatus to the mine. From the moment the special train for the divers was ordered the honorable member’s exertions never ceased, although he had to work through the whole of the night until he had seen it started off. The mining inspector of the Creswick district was also most prompt and eager in doing what he could. It seems indeed quite impossible for more to have been done in the way of giving assistance than was done. I beg to assure honorable members that it is a great object with the Mining department in particular, and with the Government generally, that all the information relating to the accident that can be gained shall be forthcoming at the inquest, so that the coroner’s jury first, and the public afterwards, may be able to judge exactly whether the occurrence was caused by negligence or otherwise.

Mr. R. CLARK.—Mr. Speaker, I quite concur with the Minister of Mines in the remarks he made to the effect that observations from honorable members with regard to the causes of the late accident are at present entirely out of place. I may add that I was greatly surprised at the feeling expressed by some of the leading members of the House against the grant of this paltry £1,000. For example, I was particularly...
astonished at what fell from the honorable member for Collingwood (Mr. Mirams), who never discusses a question without talking of his constituents. I know I should be the last member in the House to say one word against any deserving case that happened to be brought before the House, no matter where it arose—in Collingwood or elsewhere. Again, when honorable members talk of precedents I ask them if there is any precedent for this Creswick accident? Has any disaster of the like magnitude ever occurred before in any part of Australasia? I consider the facts connected with the case to be altogether exceptional. Besides, have we not repeatedly voted money for widows of deceased members who happened to be in necessitous circumstances? Reference has been made to the spontaneous liberality displayed all over the colony towards the widows and orphans of the deceased miners, and I think we ought all to be proud of that ebullition of feeling, but I do not see that it affords any reason why this House should not do its duty in the matter. In fact, I altogether deprecate the arguments that have been adduced to us on that head. In the next place, I beg to call the attention of honorable members to the following letter I have received from the Rev. Dr. Nish, of Sandhurst:

"Sandhurst, 19th December, 1882.

"My dear Mr. Clark,—I observe that Mr. Cooper is to move to-night for a grant of £1,000. Now, instead of voting this sum for the Creswick widows and orphans alone—for whom liberal provision has otherwise been made—would it not be better to vote £10,000 as the nucleus of a national fund? This might stimulate public liberality, and serve as a valuable provision for future emergencies. I merely throw out this hint for your consideration.—Very truly yours,"

"JAMES NISH."

"P.S.—Even £10,000 would only be 3d. per head of the population, and another £10,000 might be raised easily by subscription.—J. N."

I sincerely hope the Government will see their way to carry out Dr. Nish’s suggestion. Let it be remembered that miners are more liable to accident than any other portion of the community. There can be no doubt that Mr. Mackay and the honorable member for the Ovens (Mr. Kerferd) deserve very great credit for the Regulation of Mines Act, and that it has been of great good, but that is not exactly the subject we have to deal with at the present moment. I urge honorable members not to let their minds be swayed by anything they have heard as to the cause of the Creswick accident, because the Minister of Mines has given his word that the whole affair will be most searchingly inquired into.

Major SMITH.—Sir, I am quite prepared to support the present motion, although I think it would be far better to make provision for meeting not only the Creswick case, but a great many others. Let me point out to the honorable member for Collingwood (Mr. Mirams) that there is a great difference between the claims of persons engaged in ordinary occupations and those of men who toil hundreds of feet beneath the surface of the earth. What, however, I am most anxious to do just now is to bring under the notice of the Minister of Mines a statement which was made, last night, at a meeting of the Ballarat Miners’ Association. With regard to the subject-matter of that statement, I will admit that the Regulation of Mines Act has done an inestimable amount of good, but I must point out that it, nevertheless, requires a great deal of amendment. For example, the inspectors of mines are so few in number that they cannot possibly perform their duty as it ought to be performed. Again, in view of the fact that they often have to deal with powerful and wealthy companies, I consider that they are very insufficiently paid. The statement made at the meeting I have mentioned was to the following effect:—

"The officers of the A.M.A. considered that the deaths of these men, as well as those at the Parker’s United mine and No. 189 claim, Sandhurst, were on the heads of the Government, who had neglected to adopt measures calculated to prevent similar occurrences. The Government had refused to take action regarding communications that emanated from the last two conferences. By having this searching inquiry they hoped to convince the Government of the necessity for far better practical legislation. If the resolutions of the conferences had been adopted, they would have gone far to have prevented the recent accident."

These are not my words, but those of the president of the association.

Mr. BURROWES.—Will the honorable member for Ballarat West (Major Smith) say for himself that the recommendations of the association have not been carried out?

Major SMITH.—I am perfectly satisfied that the speaker whose words I have quoted knew very well what he was talking about. There can be no doubt the Creswick accident was preventible; and, that being the case, it is nonsense for the Minister of Mines to say of measures that would prevent similar occurrences that he merely has them under consideration. That style of proceeding will simply make it possible for us to have four or five more serious accidents before the Government have decided what is to be done. I say that, with the aid of the officers of the Mining department, a Bill for the proper amendment of the Regulation of Mines Act might be brought in almost immediately,
and that, if that were done, the measure could be carried into law this session. I am sure I would be glad to assist personally in every way I could to bring about such a result.

Mr. McIntyre.—Mr. Speaker, I am very much surprised at the tone of the debate, and especially at the attempt made to manufacture political capital out of the late disaster.

Major Smith.—Who got his son appointed to a place worth £600 a year, with nothing to do?

Mr. McIntyre.—I am not to be diverted from my argument by one who, when he was in office, packed the departments under him with his friends and relatives. How dare the honorable member for Ballarat West (Major Smith) speak to me in that way? What has his career been? He practically accuses the Minister of Mines of manslaughter, and doubtless would have him tried for it, but what did the honorable member do himself when he was Minister of Mines? Did he do any of the things he charges his successor with neglecting? His whole business then was to get public appointments for his friends, and probably he advises that the number of mining inspectors should be increased because he would like very much, if he got into office again, to put more of his friends and connections into official positions. I contend that there are already plenty of mining inspectors. What is wanted is that they should do their duty and carry out the law. However, the amendment of the Regulation of Mines Act is not the subject now before us. I repeat that I deeply regret the attempt that has been made to give the Creswick disaster a political aspect. I hoped it would be the unanimous desire of the House to do something towards assisting the sufferers from that awful calamity. What is £1,000 from the State for such a purpose? A mere nothing. I would gladly support setting aside £10,000 as the nucleus of a general fund for the assistance of miners in the case of accidents, but that question is essentially one for subsequent consideration. Let us vote the £1,000, and talk of the £10,000 afterwards.

Mr. Longmore.—Sir, I think it a very great pity that honorable members have not risen to the level of the country outside. At the Town Hall meeting of the other night the subject of the Creswick disaster was treated from a national point of view; why do honorable members deem it necessary to approach it with acrimony? I consider that it would be perfectly just to vote this £1,000, but I don't think any one will contend that either that sum or the funds subscribed out-of-doors should be handed over in the lump to those who are to be benefited by the money. The proper plan will be to place the bereaved families beyond the reach of want for the present, and to vest the residue of the contributions in trustees, who would arrange for its disbursement under conditions that would enable at least the major portion of the recipients to become from time to time independent of it. What I mean is that the orphans, when they reach maturity, or the widows, if they marry again, ought to cease to receive any allowance. Under circumstances of this sort, the £10,000 or £12,000 subscribed by the public, together with any £10,000 voted by the State, might become the nucleus of a fund from which provision could be made for the sufferers by mining accidents generally. The mining community don't want to be indebted to the benevolence of the community, and, if a permanent fund of the kind I speak of were once started, the miners themselves would see to it being kept up. At the present moment, however, the supreme consideration ought to be the claims that have just arisen. The widows and orphans connected with the Creswick accident ought to be placed at once beyond the chance of present starvation. Let honorable members bear in mind that mining is one of our foremost industries, and that those who carry it on, being particularly liable to accident, have peculiar claims on the country. The case of the widows and children now in question is very different from that of the loafers whom we see in Collins-street growing fat on the damages they obtained in connexion with the late railway accidents. I think the suggestions I have thrown out are deserving of consideration, because carrying them into effect would mean not only meeting the present emergency, but providing for future contingencies. What is £10,000 or £20,000 compared with what the country has been called upon to pay for a single railway accident?

Dr. Madden.—Mr. Speaker, I concur with the honorable member for Ripon in deprecating the introduction of acrimony into this particular debate. No honorable member can for one instant suppose that any honorable member does otherwise than sympathize most entirely with those who have been deprived of their natural protectors by this deplorable calamity. To suppose
otherwise would be to impute the existence of absolute inhumanity, and therefore it is to be deprecated that certain honorable members should have permitted themselves to be drawn into a somewhat angry discussion on matters quite apart from the real issue which is before the House. Of course, it is most desirable that the widows and orphans of those who met their death at Creswick should be placed beyond want in their particular sphere of life, and every one is assured that they will not be permitted to want. The national feeling of the country has unquestionably been aroused to the fullest extent, and there is not the slightest doubt that they will be provided for. But there is another question involved in the proposition submitted to the House, and I think the honorable member for Ripon hit the point in his allusion to it. As a mere matter of charitable or benevolent contribution by this House, it seems to me that this House ought to be expected to contribute to the fullest extent that this is a deserving case in every sense of the word for the exercise of benevolence where it can be properly exercised, but that it should be exercised by this House altogether if it recognised any duty or obligation to make such contributions, because, as has been pointed out by the honorable member for Collingwood (Mr. Mirams), if a contribution is made with respect to this particular accident, a contribution of a similar kind should equally be made if a cabman was killed by an accident while pursuing his calling, or if a vessel belonging to the colony was wrecked and the crew drowned. Therefore it must be seen that, as administrators of the national fund of the country, we would be undertaking a very grave responsibility indeed if we were once to start the idea that this House ought to be expected to contribute from the funds of the country in relation to matters of this kind as they arise. I concede to the fullest extent that this is a deserving case in every sense of the word for the exercise of benevolence where it can be properly exercised, but that it should be exercised by this House is quite another question. Some honorable members, notably those representing mining constituencies, have affected not to see the great distinction between the suggestion that a fund should be established as the nucleus of a general national fund to provide for those left, by reason of unavoidable mining accidents, husbandless or fatherless, and the proposition now before the House. But, nevertheless, there is a great distinction between the two things. The former is a national proposal—a proposition that, in the interests of mining, and in order to sustain that industry in the interests of the whole country, a provision should be made for those people who lose their natural protectors by reason of inevitable accidents in mines. If a mining accident is caused by negligence on the part of the employers, the Mines Regulation Statute renders the company concerned liable for damages, but there is a certain class of accidents in regard to which no particular person can be blamed, and with respect to those accidents it would undoubtedly be most desirable that a fund should be established to provide for those who are left without any other resource whatever except such a fund. The honorable member for Creswick (Mr. Cooper) deserves every credit for the interest he has taken in this matter, but I think that, after the expression of opinion which has been given by various honorable members, if he would withdraw the motion the Government would certainly be disposed, in deference to the view which has been expressed by the House, to provide for the nucleus of such a fund as has been suggested. The honorable member for Ripon seemed to consider that the vote of £1,000 now proposed, while it might not perhaps be sustainable on principle, might be regarded as a contribution to such a fund, because he said the money would not be handed over to these widows and orphans themselves, but would be constituted a fund the interest of which would be given to these persons who would gradually drop off, and the capital could then remain. But, however the money subscribed by the public may be dealt with, it seems to me that this House should take a line of its own, and say that while it does not recognise the duty, or indeed the propriety, of contributing a large sum like this as a mere matter of benevolence to a particular case, it will, if this motion is withdrawn, face the national question of instituting such a fund as has been alluded to. It has been suggested by one or two persons that if the proposed vote is withdrawn nothing will ever be heard of the matter afterwards, but I do not believe that. This question has stirred the whole community to the utmost, and the Miners' Association, which is a body of some power in this colony, will probably see that its interests lie in bringing its influence to bear on the Government with regard to the subject. Indeed, I think the Government would require very little pressure to move in the matter, because, having seen the temper of the House to-night, I am sure they will be disposed to yield to the suggestion which has been made all round, namely, that, if the motion is withdrawn, they will provide on the Estimates the nucleus of an insurance fund against unavoidable accidents arising in mines.

Dr. Madden.
Mr. ZOX.—Sir, I do not think there is any honorable member who can refuse his sympathy in relation to this disastrous calamity. Indeed, immediately the news went abroad that these poor men had been sacrificed a universal feeling of sympathy and sorrow was aroused throughout the colony, and every one did his best to try and alleviate the suffering which was experienced by the widows and orphans of the unfortunate miners who lost their lives in the disaster at Creswick. I must say that I think the motion has been brought forward at all events prematurely. The public have already responded most generously to the appeal made on behalf of the Creswick widows and orphans, and the honorable member for Creswick (Mr. Cooper) should at least have waited until the full result of the appeal was known before asking Parliament for a grant. Such an application is, I consider, altogether unnecessary. The public of Victoria do not require Parliament to intervene in a case of this kind; in fact, it would be a disgrace to them to suppose that it is necessary to appeal to Parliament on the subject. To show the sympathy which has been aroused in connexion with this unhappy accident, I may mention that, in company with the Mayor of Melbourne and the Town Clerk, I waited upon His Excellency the Governor, and also upon the Bishop of Melbourne, to ask them to use their influence towards raising a sum of money sufficient to meet the needs of the widows and orphans of the unfortunate men who perished, and the result was a most enthusiastic meeting at the Town Hall. Why should Parliament be asked for money when the whole people of the colony have shown themselves so keenly alive to the responsibility pressing upon them in this matter? I believe that, according to the announcements made, a sum of £9,250 has been already raised by subscriptions from the public, and I have no doubt that this amount will be very largely increased. The honorable member for Belfast has stated that the amount raised for the Irish Famine Relief Fund—£33,000—took several months to collect, and, when we consider that in a few days already nearly one-third of that sum has been raised in connexion with this accident, the honorable member for Creswick must see that it is quite unnecessary to appeal to Parliament on the subject. I am so satisfied of the charitable and philanthropic feelings of the people of Victoria that I consider it would be no less than a blot upon the escutcheon of this colony to appeal for aid to the other colonies on a matter of this kind, or to think it necessary to apply to Parliament on the subject. Moreover, I am afraid that as soon as it is known that the sum of £1,000 has been voted by Parliament, the private efforts that are now being made so extensively to obtain contributions will be greatly crippled. When Parliament steps in, people will naturally say that they are being asked to pay in two ways—through the general revenue to which they contribute, and also out of their own pockets. For all these reasons, I think the honorable member for Creswick would do well to withdraw the motion, because, I repeat, there is no necessity for it, and, if carried, it would create an objectionable precedent. I would remind honorable members that there are no less than 40,000 miners in the colony, and that if they only contribute 2s. 6d. each they would raise £5,000. I do not desire to say for a moment that miners only should contribute to the relief of the sufferers by this great calamity, but I wish to point out that the sympathies of the public have been so fully aroused in this matter that it is quite needless to appeal to Parliament on the subject.

Mr. BERRY.—Sir, I admit that there is a great deal of force in the arguments used by honorable members against a vote of this character, and I also give honorable members who have used those arguments credit for experiencing the same amount of sympathy for the sufferers by the calamity at Creswick that is felt by those who support the motion. I believe, further, that there is a good deal in the argument that, when this House steps in to vote public money for a case of suffering, the fact must, under ordinary circumstances, have a deterrent influence upon private charity, and I admit that grants of this sort also get rid, to a certain extent, of the responsibility of those who are accountable for accidents of this kind. There is also a great deal of force in the contention that accidents of a less startling character than this one carry an equal amount of suffering to those who are left behind. I will even go further, and say with the honorable member for Collingwood (Mr. Mirams) that there are accidents outside mining that ought to appeal to the sympathy and support of the country and the Legislature in an equal degree with an accident of this kind. But, while giving full consideration to all these arguments, I still think that the House ought to vote the money now asked for. I will not say that the proposition was altogether
Mr. BERRY.-Of course, we cannot tell what particular £1,000 or £5,000 constitutes the balance that will be left over when the present sufferers are provided for, but, at all events, if this £1,000 is not a portion of the balance, it will take the place of some other £1,000 that would, but for it, have been expended. The motion having been proposed, I trust the House will pass it, and thus show that they are en rapport with the public feeling throughout the country on the subject of this lamentable disaster. We can hereafter, more at leisure, consider the question of supplementing a national fund in connexion with mining accidents generally.

Mr. GILLIES.—Mr. Speaker, I would have been glad if I could see my way to coincide with the sentiments of the honorable member for Geelong (Mr. Berry), but I fear that the honorable member, and those who look at this matter in the same light as he does, have not considered the injurious effect that the passing of this motion would have upon all similar cases. I could have better understood what the honorable member said about the "national sentiment" if at any one of the public meetings which have been held either in Melbourne or the gold-fields there was, in the remotest degree, the idea entertained or the hope expressed that Parliament ought to vote any sum of money for the specific purpose now proposed. And why has no such intimation been given? For the very good and sufficient reason that the public have taken up the matter
for themselves, and do not require the assistance of Parliament at all. If there was any necessity for the assistance of Parliament being invoked, I venture to say that Parliament would not be behindhand in liberality, but on this, as on every occasion when the sympathy of the public of Victoria has been appealed to, the public has responded, and will continue to respond, freely and handsomely, and I maintain that Parliament is not in any way called upon to deal with this case as a separate and individual case. Honorable members have spoken of the public establishing a fund, to be supplemented by Parliament, to provide for the sufferers by mining accidents in general. That would be a rational and reasonable proposal, and, as soon as it is formulated and carried through out-of-doors—as I believe it will be—the time will have arrived when Parliament can be applied to for a grant of £8,000 or £10,000 to assist such a fund. To vote a sum of money, however, as is now proposed, directly to the widows and orphans of those who perished in the Creswick accident is quite a different matter, and I consider that it would be a great mistake for Parliament to interfere, in the way suggested, with outside liberality. As soon as it is known that Parliament can be successfully appealed to on every occasion of this kind, the public liberality will not be moved in the same way in future as it has been on the present occasion. I think, therefore, that honorable members representing gold-fields constituencies, and those honorable members generally who are in favour of this vote, would do much better if they reserved their efforts for what no doubt will be a movement of vast importance, namely, the providing a considerable sum of money to form the nucleus of a general fund for mining accidents. Granting the sum now proposed for this specific case would have the effect of creating a precedent which it would be impossible to get rid of in the future; for, supposing another accident occurred by which five or six men were killed, how could a similar grant be refused? I think the honorable member for Creswick (Mr. Cooper) would do far more real benefit to the mining community if he withdrew this motion in order that a future proposal may be submitted to enable a much larger sum to be voted, in connexion with a general fund to provide for those who suffer from the effects of mining accidents.

Mr. PATTERSON.—Sir, I think, this motion having been proposed, the best thing for the House to do would be to grant the money in a gracious manner, and say as little as possible about the matter. This proposition is not attempted to be justified upon any ground of argument or logic. The case is altogether an exceptional one, and we should put ourselves in the position of the mining community in considering this question. What will the miners think tomorrow of Parliament quibbling a whole night over a paltry sum of £1,000 when the public have been subscribing in every part of the colony? There are various reasons why Parliament should agree to a vote of this kind. There are a large number of charitable people in this and every other community who are in the constant habit of contributing to every benevolent movement, but there is also another section who never give anything, and a grant out of the general revenue will take a little from them. As to the money collected outside, it undoubtedly belongs to the sufferers by the late accident, and cannot be devoted to any other purpose whatever. There ought, however, to be some general mining accident fund, and the Government should contribute sufficient to form the nucleus of such a fund. But I believe that what the miners of this colony most require is protection against preventible accidents. There should be a system of inspection which would render such an accident as has occurred at Creswick impossible. Once a mining accident fund is fairly started, I am quite sure that it will be subscribed to and maintained by the miners themselves. It is a strange thing that the owners of this rich mine have not yet said anything as to what they intend to do in the way of contributing to the support of the sufferers.

Mr. LAURENS.—We ought to know that before we vote anything.

Mr. PATTERSON.—I think we ought to grant this £1,000 without any hesitation or argument at all. It is in accord with the public sentiment to do so. I do not seek to defend the vote on any logical ground, but, the motion having been proposed, I think the House ought to grant the money graciously, because if anything is given grudgingly it might almost as well not be given at all.

Mr. KERFERD.—Mr. Speaker, I think every one who listened to the arguments of the honorable member for Castlemaine (Mr. Patterson) must be convinced that he talked completely against his own convictions. He asked the House to do something which he felt he could not justify. Practically the honorable member said—“This £1,000 is
Mr. Kerford,

not our money, and it is only a paltry sum; let us pass the motion, and thus get rid of a troublesome matter." I take it, however, that it is the duty of the House to be careful that it does not lay down a precedent which may be very difficult to follow hereafter. If the House grants a sum of money in aid of the widows and families of men killed in one mining accident, I think that it would be unjust for it not to do so in other cases. I represent a mining district, and I could relate some heart-rending accounts of families who have had their bread-winners suddenly taken away by mining accidents. The men have left their homes in the morning in health and strength, and before night they have been killed while following their hazardous occupation, and their families have been plunged into the utmost misery and despair. If it was proposed to create a fund by Act of Parliament for the relief of the families of all persons killed by mining accidents, I could understand such a proposition; and if it was necessary or expedient for Parliament to start such a fund, I would vote for £10,000 or £20,000 being granted for the purpose. I am satisfied, however, that if the people were polled on the question they would tell us that it is not within our province to dole out charity as the motion before the House proposes we shall do. We have not the capacity to do it; we cannot entertain individual cases of distress in the same way that a parish vestry or the committee of management of a charitable institution can do. I would point out to those honorable members who say that we should not object to the sum asked for because it is a small amount that we are bound to object to it, and to have the courage of our opinions, even though it should be unpopular out-of-doors to raise any opposition to it. I do not believe that it is unpopular to object to the course now proposed, but, if it were, that fact would not deter me from saying what I think is the right thing for this House to do. The right thing, in my opinion, is to provide for the establishment of a fund by Act of Parliament, and, if necessary, to endow that fund with a grant of public money, for the purpose of placing the 33,000 or 45,000 men engaged in mining throughout the colony in such a position that they may know that, if they are killed by an accident while following their occupation, there will be some means for the future support of those who were dependent upon them for a livelihood. This is the course which I believe Parliament might take, and one which would be sanctioned and ratified by public opinion. As to the cause of the recent accident at Creswick, it is not desirable that we should express any opinion at present while the coroner's inquest is being held. For that reason, I will refrain from even pointing out that the provisions for the prevention of mining accidents to which the honorable member for Ballarat East (Mr. James) has alluded are in the Regulation of Mines Statute. Under all the circumstances, I think that the most desirable course would be to adjourn the debate, and, therefore, I beg to move that the debate be now adjourned. The adjournment of the debate will allow time for all the circumstances connected with the accident to be thoroughly investigated before the House deals with the motion of the honorable member for Creswick (Mr. Cooper). We shall have a report from the committee which the Government have promised to appoint to make a searching investigation. We shall also ascertain how far the response to the appeal made to the public out-of-doors will be sufficient to meet the necessities of those whom the catastrophe has left unprovided for. The House will then be in a better position to determine whether to vote a sum of money simply to meet a temporary emergency, or to make permanent provision, by Act of Parliament, for the establishment of a fund for the relief of all persons who are placed in circumstances of suffering and distress in consequence of accidents in mines.

Mr. Wheeler.—Sir, I hope that my honorable colleague (Mr. Cooper) will not withdraw the motion. It is the wish of the country that Parliament should vote a sum of money in aid of the public subscription for the relief of the widows and families of the 22 miners who have lost their lives by the recent disaster. It has been asserted that at none of the public meetings which have been held on the subject has a resolution been passed inviting Parliament to vote a sum of money, but I may mention that at a very large and enthusiastic meeting, held last night at Daylesford, a resolution was adopted, requesting the three members for the district of Creswick to support a vote of £5,000 by Parliament, instead of £1,000. The opinion was expressed at that meeting that the effect of Parliament voting £5,000 would be to encourage the public to subscribe liberally towards the relief fund. ("No," and "Hear!") In my opinion, it would stimulate the public subscriptions which are now being generously made all
over the colony. I am quite sure that, if the motion before the House is either negated or withdrawn, a damper will be thrown on the efforts which are being made to obtain contributions towards the relief fund. I understood the honorable member for the Ovens (Mr. Kerferd) to say that this House is not a proper body to grant charity.

Mr. Kerferd.—No; I said it was not a proper body to distribute charity.

Mr. Wheeler.—I may point out to the honorable member that the House not only votes £110,000 per annum for various charitable institutions, but also distributes the amount. Surely the object of those charities is not more praiseworthy than the object for which the House is now asked to sanction a vote of £1,000. Those honorable members who oppose the motion are doing a great injustice to the poor unfortunate people who have been deprived of their means of livelihood by the late calamity. ("No.") This catastrophe is not like the case of an individual accident. Twenty-two miners have suddenly lost their lives, leaving behind them a large number of widows and orphans. About 70 children have been left unprovided for. Surely this is a case in which Parliament should step in and vote a reasonable sum of money to assist the sufferers. The raising of subscriptions ought not to devolve on the public entirely, but Parliament should show its appreciation of the exceptional circumstances of the case, and of the liberality with which the public have come forward in the emergency. I am aware that the object of the Miners' Association is to provide assistance for the widows and families of men killed by mining accidents, but it can only deal with ordinary cases. The catastrophe at Creswick is an extraordinary case, which the funds of the association are altogether inadequate to meet. The means for that purpose must be raised by public contributions, aided, I trust, by a parliamentary grant. I hope that the House will, at all events, agree to vote the amount named in the motion; and if it were proposed to increase it to £5,000 I would certainly feel it my duty, as a representative of the people, and especially as a member for a gold-fields district, to vote for the larger sum.

Mr. Pearson.—Mr. Speaker, I think that the House ought, if possible, to come to a decision on this matter at once. I don't see any reason why we should adjourn the debate upon what I conceive to be the real point which is at present before us. Two questions have been mooted during the debate. One, with which we can deal at once, is the question as to whether we shall vote £1,000 in aid of the public subscriptions for the relief of the widows and families of the 22 miners killed at Creswick, and that proposal I hope the House will reject. The other, with which, I think, we cannot deal at present, but with which I cordially agree, is that the House shall vote a sum of £5,000, or £10,000 it may be, as the nucleus of an insurance fund for mining accidents throughout the whole colony. I will state why I think we cannot deal with the latter question at present. If we vote a sum for the purpose indicated, or ask that it shall be put on the Estimates, the Government must introduce a Bill to provide for the application of it. It will be necessary to appoint trustees, and determine the regulations and conditions under which the fund shall be distributed. It will be impossible to do that at present. All that we need do now is to deal with the motion of the honorable member for Creswick (Mr. Cooper). What are the reasons which have been urged by the advocates of the motion why the House should adopt it? In my opinion they constitute the very strongest arguments against the adoption of it. The honorable member for Maldon told us—and his argument was repeated by two or three other members—that because the public are subscribing liberally, because there is a general and splendid impulse throughout the country to contribute towards the relief of the sufferers, Parliament ought to place itself on rapport with the public feeling, and vote away the public money. The public are giving away their own money, and we are asked to give away money of which we are merely trustees.

Mr. McIntyre.—The money which we are asked to give is public money.

Mr. Pearson.—The public are contributing money which belongs to them personally. When Members of Parliament give away their private money, in their individual capacity, they deprive themselves of something which belongs to them personally; but when this House is asked to vote money, it is asked to deprive the public service of something. We are now asked not only to give away money which is the property of the public, but to do it in such a form as to establish a precedent which may be followed to an incalculable extent in the future. I was somewhat astonished at the honorable member for Maldon, who generally speaks in the strongest terms against anything of the kind, asking this House to do for the
Mr. McIntyre.—This is an exceptional case.

Mr. Pearson.—I hope that in future the honorable member will not attack honorable members on this (the opposition) side of the House when they bring forward exceptional cases as protectionist members, for he is as much a protectionist as any of them in the argument which he has used to-night. A second argument was urged by the honorable member for Geelong (Mr. Berry), namely, that the House ought on this occasion to put itself above logic. That argument showed that the honorable member could not support the proposal.

Mr. Francis.—Why not?

Mr. Pearson.—When a man puts himself above logic, he puts himself above common sense. I think that this House is already subject to too many accusations of putting itself above logic.

Mr. Berry.—It is generally below logic.

Mr. Pearson.—My honorable colleague in the representation of Castlemaine stated as an argument in favour of the motion that the House repeatedly voted sums of money for no better purpose than the one for which the £1,000 is asked; but if the advocates of the motion are driven to support an unjustifiable grant on the ground that money is voted for other purposes which are unwarrantable, surely that is a very strong reason against it. What is there peculiar about the recent accident? The peculiarity undoubtedly is that the men to whom the accident happened were imprisoned in the mine for two days, and this, and other circumstances surrounding the case, have excited an amount of personal sympathy for the families of the unfortunate victims which is not felt in other cases, but which ought to be equally felt for men who suffer by other accidents, which occur all over the country. There is not a member for a mining district—there is not a man who lives in a mining district—who does not know that every month, or every two months, there is a serious accident in a mine. It may not always be fatal, it may only cripple a man for three months or six months, but it results in a great deal of suffering; and yet in such cases, because the same public attention is not fixed on the sufferers, their families have to content themselves with £15 or £20, which their poor neighbours laboriously collect for them. The miners display a noble generosity in cases of the kind, but all that can be done by a poor mining community is as nothing compared with the liberality which the public have shown on this occasion. If the House agrees to the proposed vote of £1,000, it will be making an exception in favour of those who are singularly fortunate, inasmuch as they have already interested the public in their behalf as no other persons have done. We are asked to make an exception to give them a sum out of the public purse in addition to what is being voluntarily contributed for them by the public in all parts of the colony. It is a most strange illustration that “Blessed are they that receive; to them shall be given.” (Laughter.)

An Honorable Member.—Is that Scripture?

Mr. Pearson.—I am not quoting it as Scripture; I am quoting it as a proverb.

Mr. R. Clark.—What is the application?

Mr. Pearson.—The application is that those who have once attracted public attention in any way are much more likely to go on attracting it than those who have remained unnoticed before. That is the case in this instance. If honorable members who are pressing this motion will calmly consider the motion, they must admit that 22 families will be amply provided for by the £10,000 already collected. (“No.”) Assuming that nothing more will be subscribed, I venture to say that £10,000 is an ample sum to provide for the support of those who were dependent for their means of livelihood on the earnings of the unfortunate men who have been killed. It has been suggested that the sum might be used as the nucleus of an insurance fund, but that is a great mistake. The money has been given for a specific purpose, and it must be applied to that specific purpose, unless the consent of the individual donors be obtained to divert it to another object. Surely the House may be content to leave the sufferers by the Creswick calamity as they are. They deserve magnificently of their country, and their country, I think, is doing magnificently by them. There is no reason why we should rise above logic, or set a precedent for all time by dealing with this as an exceptional accident. What the Government have to do is to follow the advice given them on every side, and bring in a Bill as soon as possible to provide State insurance, on favorable conditions, for those who work in mines. If they do that, they will deserve the thanks of the whole community, and the measure will deserve the general support of the House.
Mr. CARTER.—Sir, I am quite aware that it seems an ungracious thing to say a word against any attempt to vote money for a charitable object, but I must accept my share of the unpopularity, if any attaches to it, of supporting the proposition for adjourning the debate on the motion at present before the House. I think that the argument of the Government with reference to the railway accident at Hawthorn will hold good in this case. It is undesirable, pending an investigation into the cause of the Creswick calamity, and the result of the coroner’s inquest, that the House should take any action in the matter. It would be premature to do so. We know nothing of the facts. For anything we know, the contrary, the owners of the mine where the accident occurred may be responsible for every shilling of damage which the survivors of the deceased men have sustained. It is not for the House to act from mere feeling and sentiment. I would not say one word to reduce by a single sixpence the amount which the persons who were dependent for their livelihood upon the earnings of the unfortunate men are likely to receive; I would rather assist to increase it. But it is not the duty of this House to set aside its calm reason, and to be led away by the public feeling which has been aroused, and which is manifesting itself in such a marked and generous spirit. We are here to legislate deliberately, and not to give way to feeling or sentiment. I have not heard one argument from any honorable member why Parliament should be asked to depart from its previous practice, and become the almoner of the country. If the House deliberately decides that it is for the good of the country that we should distribute charity to the people, let us do it in all cases. If Parliament is to provide for the survivors of persons who lose their lives by accident, let it do so in all cases of accidental death. Why should we do it in the case of an accident occurring in one particular district, and not in the case of accidents happening in other districts? Lamentable as the Creswick disaster is, let me ask honorable members this question—If the 22 miners who lost their lives by the accident had been killed at different times during the last six months, would their families have suffered any less than by the bread-winners being all killed together? Do honorable members mean to say that, if I lose my life solitary and alone, my widow and children are not to have any sympathy shown them by this House, but that if I lose my life in company with others, they are to receive the sympathy of the House? Why should we take this new departure? No logical argument has been advanced by the supporters of the motion.

Mr. MIRAMS.—They admit that.

Mr. CARTER.—The honorable member for Castlemaine (Mr. Patterson) has acknowledged that it is unreasonable to vote the £1,000 which is asked for; but are we to vote according to reason or according to feeling? I say that we have no right to vote according to feeling and against reason. There is one point to which no honorable member has alluded, namely, that in this country, as in most other civilized countries, every man, whatever his means may be, has it in his power to make some provision for his family by a small contribution from his weekly earnings. To my knowledge, one of the 22 men who lost his life by the disaster at Creswick insured his life in the year 1879. By contributing at the rate of £2 16s. 4d. per annum—a little over 1s. per week—he secured a payment of £100 to his widow. We ought not to endeavour to pauperize miners or any other class of the community by saying to them—“Don’t save a shilling; don’t insure your life; don’t belong to any friendly society; don’t do anything to make any provision for your family in the event of your death, but leave everything to Parliament; as soon as anything happens to you, Parliament will at once come forward, and vote money for your widow and children.” This is not the direction in which we ought to travel. This perpetually running to the State for assistance on every occasion is the surest and safest way to pauperize the people. I say, however, that the people of this country don’t want to be pauperized. Every man who is in health and who is in the receipt of wages would look with scorn on any attempt to pauperize him by grants of money, either from private individuals or from the public purse. No request has been made to this House to assist the sufferers by the Creswick calamity with a vote of public money, and why should we come forward and thrust it upon them? Let us first ascertain what are the facts connected with the accident. Let us find out who are responsible for the accident; and if the parties who are responsible for it can be made to pay, let them be made to pay. If Parliament has then to step in, let it take the proper course, and let it provide for the establishment of a general relief fund in cases of accident. Many poor men get disabled to an extent which is worse than
Mr. MIRAMS.—More so.

Mr. CARTER.—Yes, the wife and family of a man who, by an accident, is made a cripple for the rest of his life are more helpless than they would be if he had been killed, because they have to support him. But the death of a man who is killed by an accident which happens to him alone does not create public sympathy. If, however, 22 miners lose their lives together, we have the whole colony saying—"This is a terrible disaster; we must assist the widows and families of these 22 miners." Every year 60 men in this colony lose their lives by mining accidents, and why should we not assist the widow and family of each of those men as well as the widows and families of the 22 men who were killed by the Creswick accident? Why should we not do something for the widows and orphans of our sailors who lose their lives by shipwreck? We read of deeds done by sailors in connexion with shipwrecks quite as heroic as the acts performed in connexion with the recent mining disaster, but who ever asks Parliament to vote a sum of money for the widows and families of sailors that have lost their lives by shipwreck? No vote of public money has ever been proposed for them, for the simple reason that sailors have not got votes for members of this House. If there was only a shipping constituency—if all our sailors had votes—we would have the honorable member for the sailors jumping up and proposing a vote of £1,000 for the widows and families of mariners that had lost their lives by shipwreck. It is very natural for mining members to show their love for the miners, but I think they are defeating their own object by the course they are pursuing on this occasion. It would be far better to accept the suggestion to withdraw the proposal, and bring it forward subsequently, if necessary, on a larger scale. With regard to the subscriptions out-of-doors for the Creswick relief fund, I desire to say that I think the public of this colony have responded with wonderful liberality to every appeal made to them for a charitable object. Who sent the largest contribution to the Irish relief fund? The people of Victoria. No sum of money, however, was voted by Parliament in aid of that fund, and why should we vote anything on this occasion? If any sum is voted by Parliament, it should be applied not merely to the widows and families of the men who have lost their lives by the recent calamity at Creswick, but towards a general fund for the relief of sufferers in all cases of mining accidents. Before we can take any steps in that direction, we want more information than we have at present, and for that reason I support the proposal for the adjournment of the debate.

Mr. BARR.—Sir, I cannot agree with the remark made by some honorable members that the present motion is at least well-timed. I think that this is the wrong time to bring it forward. It would have been better to await the termination of the coroner’s inquest before proposing the motion. It is quite possible that the inquest may result in the blame for the accident being sheeted home to some one. It may be that the company at whose mine the catastrophe occurred will be liable for damages sufficient to compensate the widows and families of the unfortunate men who have been killed. Under the circumstances, it is undesirable that the House should do anything which can have a tendency to take away from the company any responsibility which they may be liable to discharge. Moreover, I believe that the passing of the motion would have the effect of putting a stop to the public benevolence which has been aroused throughout the country on behalf of those who were dependent for their livelihood upon the earnings of the deceased miners. I think it would effectually put a wet blanket on public charity. If the public find that the House is willing to vote £1,000 for the relief fund, a vote of £20,000 will be asked for; indeed, I am surprised at the moderation of the people of Daylesford, who have asked their representatives to support a grant of £5,000. If the principle of the motion is right, why should not the amount be £50,000? I would like honorable members to seriously consider the important principle involved in the motion. If we recognise the claims of the widows and families of the men killed by the Creswick accident to a grant from the public revenue, with what justice can we refuse to recognise similar claims of a retrospective character? I know some instances in which greater suffering has been caused by mining accidents years after they occurred than was occasioned at the time they happened. Widows and orphans were not only reduced to poverty at the time, but ever since they have lost all that made life valuable to them. Whole families have been dragged down so low that no sum of money granted to them now would place them in the position that they would have been in if
Mining Disaster

[DECEMBER 19.]

at Creswick.

2895

some substantial aid had been given to them at the time that the misfortune occurred. If we recognise the claims of the survivors in this case, we will also have to recognise similar claims in connexion with all future accidents. One effect of doing that, I fear, will be to take off the shoulders of mining companies a liability and responsibility which they ought to bear, and impose a very serious burthen on the country. The amount asked for—£1,000—may be, as it is described, a paltry sum of money, but the motion involves a very important principle. In any case, it is undesirable that the House should step in and take action between the accident and the finding of the coroner's jury. No man would be more willing than I would to help as far as possible to mitigate the misery, sorrow, and suffering brought about by the accident, but I think that this is not the proper time to consider a motion like the one now before the House. The effect of passing it, I repeat, would be to stem the stream of public benevolence. I therefore support the proposal for the adjournment of the debate. If by-and-by it is found that the public subscriptions are not large enough to meet the wants of the case, it will be time enough for the House to step in to the rescue. It can then do so with more grace, with more liberality, and with a stronger public opinion in support of the motion.

Mr. FISHER.—Mr. Speaker, I do not think that the effect of passing this motion will be to dam up the stream of public benevolence. I have listened carefully to the various arguments which have been urged against the motion, and I think that they all converge to one point, namely, that to pass it will be to form a bad precedent. If I do not mistake the temper of this House, there is a general opinion that a permanent fund—to which Parliament should contribute a sum of £10,000 or more—should be established for the benefit of the widows and families of any men who may be disabled or killed by future accidents in the mines. If it be the case that we are going to establish such a fund, there will be no necessity for voting a sum to any individual, or individuals, for any particular casualty or accident which may occur in the future; consequently, the argument about this being a wrong and bad precedent, I submit, falls to the ground. Perhaps it would have been better had the honorable member for Creswick (Mr. Cooper) not tabled this motion for a grant of £1,000. But having proposed it, and the House having devoted a night to its consideration, it would come with a very bad grace from the House not to assent to the motion. I say that we in this House cannot afford to be above sentiment, and sentiment requires that we should vote this £1,000. Just imagine what might be thought, not in this colony alone, but in the other colonies and in England, if it could be said that after the way in which public feeling had been so nobly excited over the lamentable disaster at Creswick, and after the matter had been debated for a whole night in the Commons House of Victoria, we came to the conclusion that we would not vote this paltry £1,000! I say it would be most unwise for us to adopt that course. Therefore, I trust the motion will be carried. At the same time, I consider steps ought immediately to be taken by the Government to establish an accident fund of such a nature that when cases of this kind arise in the future we may be able to satisfy those cases from that fund. I submit that instead of seeking to put down or make little of the noble and generous impulse which has taken possession of the public, by calling attention to an accident to an individual, or an accident in another part of the colony, we, as a Parliament, ought to lead the way in the movement which has been inaugurated.

Mr. BOWMAN.—Sir, I am sorry the House has lost so much time over this question. Why the time consumed represents about as much money as is involved in the motion. I consider that the money asked for should be voted gracefully, and particularly as the object is one in which the whole country sympathizes. The sum of £1,000 represents only one farthing per head of the population, and surely £1,000 can be conceded to the great interest of Victoria—the mining interest. What would this colony have been but for the development of its mineral resources? I consider that a gift of £1,000 to the widows and orphans of those who suffered by the Creswick disaster is none too much for Parliament to make to those whom it is the duty of the State to look after. This House has voted money in similar directions before. I remember that on one occasion it voted £1,000 to the widow of one man simply because that man was a Member of Parliament; and I say that if £1,000 can be voted to the widow of a Member of Parliament, £1,000 is not too much to vote for the relief of something like 100 souls who are left without any support except that which they derive from the charity of the public. We are told that, before the public subscription has closed, it
will amount to £10,000; but if it realizes that sum, and the money is invested, it will mean only £5 per annum for each individual. I am sorry that some honorable members—my honorable colleague (Mr. Barr) among the number—should plead that before entertaining the motion now before us we should await the result of the coroner’s inquest. Moreover, the plea seems strange when advanced by honorable members who are not deterred by a coroner’s inquest from supporting a vote of want of confidence in the Ministry. I would have been well pleased if £10,000 had been asked for instead of £1,000, but, as £1,000 is the sum mentioned, I hope the proposal will be agreed to without further delay.

Mr. FRANCIS.—Mr. Speaker, I want to say a few words on this question, lest silence may be misconstrued into a want of sympathy on my part with the widows and orphan children who, by the catastrophe of last week, have been committed to the care and benevolence of the people of Victoria. As, by sheer accident, I happened to be one of the first to inaugurate a subscription in a private way and among personal friends, I can testify to the sympathy for the bereaved ones which pervades my fellow colonists. It appears to me that the sympathy is universal. The way in which contributions have spontaneously been given in aid of the widowed and the fatherless shows that the charity which is manifested in this instance is of the highest and noblest order, and not charity in any inferior sense. That an ample sum for the relief of the sufferers will be raised by private subscription there can be no doubt. Every man seems disposed to give freely according to his means. Therefore I deplore any appeal to Parliament for a grant-in-aid, although the amount asked for may represent only one farthing for every individual in the community. I don’t mean to depreciate, for one moment, the impulse which animates the honorable member for Creswick (Mr. Cooper). In fact, the action which he has taken is only natural on the part of a representative of the district concerned. But I fear that any assistance which the State may be disposed to render in this matter is only calculated to dam back the full, free, and splendid flow of benevolence which is now running. And why should Parliament interpose with this one-farthling-per-head business to restrain people from enjoying to the full the luxury of making the best use of the means which Providence has placed at their disposal?

Mr. NIMMO.—Mr. Speaker, after the splendid pictures of benevolence drawn by the last speaker, I am afraid we will make a mistake if we pass the motion now before us. I am afraid we may be drying up the spontaneous feeling of natural benevolence in this colony if we venture to supplement the efforts now being made outside by a Government grant. The people throughout the entire colony are responding with alacrity to the call for aid which has arisen in connexion with the sad calamity at Creswick. And if they did not do so—if the response were not equal to the emergency—I am afraid that the paltry £1,000 which the State might give would not afford very material aid. There is a great difference between an act of benevolence and an act of beneficence. It may be very benevolent for Parliament to vote £1,000 for this object; but, in my opinion, it will be far more beneficent to allow the purses of the public voluntarily to unfold themselves. As a humble member of this House, I feel myself placed in a very awkward position. The head of the Government approves of this motion; the leader of the Opposition also approves of it; but my idea is that the motion should be withdrawn altogether, and that the Premier should lay the foundation of a grand scheme by proposing a grant of £8,000 or £10,000 as the nucleus of an accident fund, which will be available to meet the serious emergencies which in the course of years will naturally arise from time to time.

Mr. WILLIAMS.—Last Thursday night, when I heard the honorable member for Creswick (Mr. Cooper) give notice of this motion, I said he was altogether premature. I concur in what has been stated as to the propriety of ascertaining what the public subscriptions will amount to before invoking the aid of Parliament. I also realize the force of the argument used by the honorable member for Maryborough (Mr. Barr) that while the coroner’s inquest, to which the Government are party, is being held, it would be improper for Parliament to step in and vote a sum of money, and thereby virtually admit that the recent disaster at Creswick was a pure accident. I am inclined to think that the verdict of the coroner’s jury will show that the disaster was something very far from an accident. I have had the opportunity of conversing with a great many miners, and they tell me that the opinion among miners generally, who are subscribing heartily and enthusiastically towards the relief fund, is that it will be a pity for Parliament to interpose at all at
Mr. McCOLL.—I rise to support the suggestion of my honorable colleague (Mr. Williams) that the motion be withdrawn. I have not the least doubt that, when all the subscriptions are handed in, the total sum will be found equal to the anticipations in which my honorable colleague has indulged. I feel proud of Sandhurst for what it has done in the matter. No less than £1,800 was subscribed there between Friday and Monday, and I have no doubt that the contributions from other mining districts will be of a similarly commendable character. Under these circumstances, I think the interposition of Parliament may well be dispensed with.

Mr. MACGREGOR.—Sir, one of the most pleasing incidents connected with the movement out-of-doors to raise funds for the relief of the sufferers by the Creswick disaster is the subscription started among the pupils of our State schools and our Sunday schools. That incident shows that the heart of the nation is touched to its utmost extent. Why the lesson of benevolence which it will teach to the children of the colony is one they will never forget. I would not be one to object to the motion of the honorable member for Creswick (Mr. Cooper) but for the fear that it may be the means of stopping the spontaneous outflow of liberality which is now distinguishing the community. I am glad to say the churches of all denominations have taken up the matter, and this and other circumstances induce me to believe that the subscriptions will amount in the whole to between £20,000 and £30,000; and when the result is ascertained will be the time for the Government to come forward and propose that £20,000 or £25,000 shall be set apart out of the public revenue, as the nucleus of a great national assurance fund from which cases of distress arising not merely from mining accidents, but accidents of all kinds which may happen in the future, can be relieved.

Mr. MUNRO.—Mr. Speaker, I trust that the honorable member for Creswick (Mr. Cooper), seeing the feeling of the House, will not press his motion to a division. I have sat here the whole evening, and I must say that I have not heard one word in justification of the motion. The honorable member knows that the country has spontaneously determined to do its duty; yet, by this motion, not only will a bad precedent be established, but, to some extent, a damper will be placed upon the generous feeling which has been manifested out-of-doors. A gentleman said to me to-day, with regard to the motion—"It is a very remarkable thing that the Legislative Assembly must meddle and muddle with everything; we are going...
We have never had a re members. the Hotham Town Council arrived at a clear what they did or suffered with regard to the occasion for us to establish what we know I Kelly outlaws.

Members of the police force on account of the adjournment of the debate. We would be right for the honorable member for Taranaki, broke out, this colony fitted out a vessel of war, and sent it to the assistance of the New Zealand Government. I do not say that the present case is completely on all fours with those I have cited, but I think I have shown precedents enough to justify honorable members in adopting my proposition.

The House divided on the question that the debate be now adjourned—

Ayes ... ... ... ... 31
Noes ... ... ... ... 28

Majority for adjournment 3

AYES.

Mr. Blackett, Sir C. Mac Mahon, Carter, Dr. Madden, W. M. Clark, Mr. Mirams, Cook, Mr. Cooper, Francis, Mr. Walsh, Gillies, Sir J. O'Sullivan, Hall, Mr. Tucker, Harper, Walker, Harris, Wallace, Kerferd, Walsh, Langridge, Williams, Laurens, Zox, Levien, Tellers, McColl, Mr. Barr, McLean, Shiels.

NOS.

Mr. Bell, Mr. Macdonald, Bent, Longmore, Bolton, McIntyre, Bowlon, W. Madden, Bowman, Nimo, Burrowes, O'Callaghan, Cameron, Sir B. O'Loghlen, R. Clark, Connor, Mr. Patterson, Cooper, Rees, Davies, Richardson, Fisher, Major Smith, Grant, Tellers, Graves, Mr. Fincham, Hunt, James, Wheeler.

The debate was then adjourned until Tuesday, January 9, 1883.

LAW DEPARTMENT.

Mr. LEVIEN moved—

"That there be laid before this House a return of the classified officers in the Attorney-General's and Solicitor-General's departments, showing the dates of the appointment of such officers to their present classification."

Mr. ZOX seconded the motion, which was agreed to.
RAILWAY ACCIDENTS.

Mr. ZOX moved—

“That there be laid before this House a return showing:—1. The amount of compensation paid to the sufferers of the late railway accidents at Jolimont and Windsor, and to whom. 2. The amount paid to defray legal expenses, and to whom. 3. The amount paid to medical attendants, and to whom. 4. The value of the rolling-stock destroyed. 5. The cost of repairing the damage done to the rolling-stock, lines, &c. 6. The amount of unsettled claims, if any.”

Mr. WALSH seconded the motion, which was agreed to.

EXPENDITURE UNDER LOANS.

The House having gone into committee of the whole,

Sir B. O'LOGHLEN moved—

“That the following estimate of the expenditure which the Board of Land and Works proposes to incur during the year ending 30th June, 1885, under Act No. 737, for the undermentioned purposes be agreed to by the committee, viz.:—Towards erection of Houses of Parliament and of the Law Courts... £25,000 Towards Geelong and Coliban water-works extension... £25,000.”

He said the first item of £25,000 was practically for the new law courts only, the Houses of Parliament being mentioned simply because the two items were grouped together, both in the Loan Act and in the Temporary Advances Act. Contracts in connexion with the former building were now being carried out, and it was necessary to provide funds on their account. He would mention that the payments up to date, on account of the new law courts, absorbing all the funds available out of loans prior to the Act No. 737, amounted to £273,936, the sum required to complete the building being £66,615. That brought its estimated total cost up to £340,551. With respect to the £25,000 for Geelong and Coliban waterworks extension, the money would come out of the £53,000 appropriated for those purposes. That £53,000 was distributed as follows:

“Recoup—Expenditure, 1878-9... £2,000 Recoup—Expenditure, 1881-2... £6,000 Coliban and Geelong extensions... £8,000 Geelong and Moornabool scheme... £12,000 Maldon extension... £17,000 £53,000”

There could be no doubt that the intended extensions would ultimately prove extremely reproductive.

Mr. ZOX complained that, although the Parliamentary Buildings Commission was still maintained in existence, it was never called together.

Sir B. O'LOGHLEN stated that the reason why the commission referred to had not been called together for about two years was that its services had not been needed. It would probably be asked to resume its functions when the question of the Mount Difficult stone had been decided.

Mr. MUNRO inquired why, when money was wanted only for the new law courts, it was asked for for the Houses of Parliament as well? (Sir B. O'Loghlen—“The Act requires it.”) It was very difficult to see that. He remembered that, in August last, £28,000 was asked for, and granted, for railway improvement works, although not a shilling of the money was ever intended for railway works at all. In fact, £17,000 of it was devoted to swamp reclamation works, in which only the Lands department was interested. With this fact before him, he regarded the grouping together of the two items mentioned in connexion with the first £25,000 now asked for, as unfair, misleading, and not honest.

Sir B. O'LOGHLEN said he was astonished at the remarks of the honorable member for North Melbourne (Mr. Munro), because the two items referred to had, for a number of years, been invariably grouped together, and to separate them now would lead to confusion. As to the other matter the honorable member had wandered into, it had already been sufficiently thrashed out.

Sir J. O'SHANASSY remarked that he had ascertained that the Treasurer was providing money out of the Treasurer’s advance for reclaiming the North Melbourne Swamp without Parliament having been consulted in the matter at all. When an irregularity, he believed indeed an illegality, of that kind took place, there was good reason for the separation of the items as desired by the honorable member for North Melbourne (Mr. Munro).

Sir B. O'LOGHLEN stated that in the matter of the North Melbourne Swamp the Government had only followed the practice of previous Governments. When land was to be sold at a high figure after being re­claimed, it was usual to make an advance to start the work of reclamation. When the land was sold the money was recouped. The matter would have to come before the Assembly when the Additional Estimates were submitted.

Sir J. O'SHANASSY considered that Parliament ought to be consulted before the Government pledged themselves to such a work as the reclamation of a swamp which contained 35 or 37 acres. It was never intended that the Treasurer's advance should...
be used for such purposes. Had not a contract been entered into for reclaiming the swamp, and had not the Government committed themselves to the undertaking without saying a word to Parliament on the subject, although it was in session? The Treasurer had stated that the matter would appear on the Additional Estimates, but what would be the use of that when the money would have been spent? Supposing the House refused to vote the amount on the Additional Estimates, what would happen? It was no excuse for an illegality to plead that previous Governments had done a similar thing. If Treasurers kept on spending money in this way without the authority of Parliament, he thought the time would have to come when the Treasurer who expended money in such a manner would be held personally responsible for the amount. It was a question of public policy whether the swamp was worth reclaiming or not, and such a matter ought not to be virtually decided by the Treasurer, as was done when he advanced money for the purpose of carrying out the work. He (Sir J. O'Shanassy) had always been afraid of the Treasurer's advance being increased to the amount of £100,000—originally it was only £10,000—because the possession of so large a fund enabled the Treasurer to do things of this kind. He had also learned another thing in prosecuting his inquiries—namely, that the expenditure of £28,000 which had been authorized by Parliament might lead the country into an expenditure of no less than £84,000. This was an extremely loose way of doing business, and the sooner the Assembly turned its attention to the question of the Treasurer's advance, by either cutting it down or compelling the Treasurer to come down to the House and ask specifically for whatever money was wanted, stating the purpose to which it was to be devoted, the better it would be for the country.

Sir B. O'Loghlen remarked that it would be impossible for any Government, as the executive of the country, to carry on public affairs unless they were enabled to incur a certain amount of expenditure on their own responsibility. If every small executive matter had to be submitted to the House before any expenditure was incurred in connection with it, the ordinary parliamentary business would never be got through. In a case like that to which the honorable member for Belfast referred—when land, after being rendered valuable, was to be sold, and the money brought into the public revenue—surely the Government were entitled to take some responsibility on themselves with regard to incurring a small initiatory expenditure. (Sir J. O'Shanassy—"You have the House to consult.") If the House had to be consulted before anything was done in a matter of this kind, parliamentary business could not be carried on.

Sir J. O'Shanassy observed that, when the question was before the Assembly on a previous occasion, he insisted that the expenditure of £200,000 which was being then authorized should be divided under separate heads. What was there to hinder the Government from announcing on that occasion that it was intended to spend money out of the Treasurer's advance for the purpose of reclaiming the North Melbourne Swamp? Instead of making that statement, however, they actually suppressed or kept back an important fact which was within their knowledge. The contract had been signed for the Kensington-hill, purchased at that particular time, and not a word was said about it. (Sir B. O'Loghlen—"How can you fix the time?") It had been shown that negotiations for the purchase were commenced in May, and the £200,000 was not granted until August. (Mr. Bent—"The contract was not signed until September.") At all events, the negotiations were approaching completion in August, and the House was given no information on the subject.

The CHAIRMAN.—I would point out to the honorable member that he is travelling away from the question before the committee.

Sir J. O'Shanassy said the issue had been raised whether the expenditure on the Houses of Parliament and the law courts respectively ought not to be shown under separate heads, and he was arguing in support of that course from the manner in which previous votes had been dealt with. He would remind the Treasurer that, when the last Supply Bill was being passed, the honorable gentleman gave a distinct pledge to the House, at the instance of the honorable member for Geelong (Mr. Berry), that no expenditure would be incurred on any matter not known to the House, yet, notwithstanding that promise, the Treasurer authorized the reclamation of the swamp, and made an advance payment on account of the work.

The CHAIRMAN.—I have already ruled that honorable members cannot enter into the question of reclaiming the North Melbourne Swamp on the question now before the committee.
Mr. CONNOR expressed the hope that the works for providing an additional water supply for Geelong would be finished as speedily as possible, so that the restrictions now imposed with regard to the use of water might be withdrawn. If a fire took place at night in one of the principal streets, an immense amount of property might be destroyed owing to the water being cut off.

Mr. MUNRO moved that progress be reported, for the purpose of bringing the matter to which he had already referred prominently before the committee. A third statement had now been made, which was intended to mislead the committee.

Sir B. O'LOGHLEN rose to order. The honorable member for North Melbourne (Mr. Munro) had risen for the express purpose of insulting him, and he hurled back the honorable member's insult. He wished to know whether the honorable member was in order in saying that he (Sir B. O'Loghlen) had made a third statement with the intention of misleading the committee?

Mr. MUNRO remarked that what he said was that a third statement "had been made" which was intended to mislead the committee, and he was prepared to prove the truth of his allegation.

The CHAIRMAN.—The honorable member for North Melbourne (Mr. Munro) was clearly out of order in making such a remark.

Mr. BERRY observed that it would be undoubtedly out of order for an honorable member to say that any particular honorable member had made a statement with the intention of misleading the committee, but all that the honorable member for North Melbourne (Mr. Munro) had said was that a statement "had been made." (Sir B. O'Loghlen—"No one made a statement except me.") He (Mr. Berry) had heard the honorable member for Belfast also make a statement. An honorable member could only be called to order for what he said. It would be very dangerous to rule that an honorable member intended something he did not say, and the honorable member for North Melbourne had not specified any particular honorable member in his statement.

The CHAIRMAN.—If, as the honorable member for Geelong (Mr. Berry) admits, it is contrary to parliamentary practice to impute to an honorable member directly that he made a statement with the view of misleading the committee, it is equally wrong to say that such a statement has been made in the committee, whether an honorable member is named or not. If the statement was made at all, it must have been made by one of the committee.

Mr. MUNRO said that, in obedience to the Chairman's ruling, he would withdraw his remark, and put the matter in another way. A return had been laid on the table, purporting to show that the expenditure for the Kensington-hill purchase was covered by the Act No. 729, but it now appeared from the statement of the honorable member for Belfast that the money came out of the Treasurer's advance. (Sir B. O'Loghlen—"The honorable member is mixing up two things.") He knew exactly how the matter stood, but the Government were trying to put the thing into confusion for the purpose of covering their conduct. (Sir J. O' Shanassy—"The money from the Treasurer's advance was for reclaiming the swamp.") The question he (Mr. Munro) had asked that evening was where the £17,000 for the Kensington-hill purchase came from. The Minister of Railways told the Assembly that the amount came out of the £28,000 granted for railway improvements, and thus a portion of certain money which was voted for one purpose was expended for another purpose. In fact the Minister of Railways admitted that, for he said on November 21st—

"The great value of the material from Kensington-hill was in connexion with the filling up of the North Melbourne Swamp, and he maintained that for that use alone the purchase was the most advantageous one for the State."

The Ministry misled the House in the first instance as to the purpose to which the £28,000 was to be applied, and when the money was granted they deliberately devoted it to a different purpose altogether from that for which it was intended by Parliament. What was the use of the Government submitting estimates to the Assembly if it was not their intention to apply the money to the purpose for which Parliament authorized the expenditure? In addition to their other extravagances, the Government were reclaiming the swamp in the most expensive way, namely, by day labour instead of by contract. The main point, however, was that the Government obtained £28,000 from Parliament for the purpose of making railway improvements, and they then without any authority from the Legislature spent £17,000 of the money in the purchase of material to reclaim a swamp.

Sir B. O'LOGHLEN stated that the honorable member for North Melbourne (Mr. Munro) had mixed up two things which were totally distinct—namely, the expenditure out of the £28,000 voted by the Assembly, and the expenditure out of
the Treasurer's advance for the purpose of removing the soil of Kensington-hill. The Kensington-hill purchase was made out of the £28,000 appropriated by the House, and the purchase was made for railway purposes combined with land purposes. (Mr. Woods — "The purchase was not wanted for railway purposes at all.") He was expressing his opinion, and he contended that even for railway purposes the purchase was an advantageous and necessary one. As for the matter of reclaiming the swamp, he repeated that the Government had merely followed the practice of preceding Governments who did not hesitate to incur expenditure on the reclaiming of land which was afterwards to be sold, and the proceeds brought into the revenue. The advance made was only £2,000, and, as the whole matter would come before the Assembly on the Additional Estimates, the House would have full control over it.

Mr. BERRY said he presumed that the object of this discussion was to call attention to the fact that these estimates were submitted in a form which was scarcely in compliance with the Act which required them to be submitted. A similar thing occurred with respect to the estimate upon which the Kensington-hill purchase was afterwards made, because if the committee had been given to understand that that purchase was going to be made they undoubtedly would not have agreed to the estimate, at all events without considerable discussion on the subject. Hansard would show that whereas in July, during an irregular discussion, the Minister of Railways made a bare reference to the possible purchase of soil from a private individual, yet in August, when the real debate came on, and when the arrangement for the Kensington-hill purchase was more matured, not the slightest allusion was made to the matter. (Sir B. O'Loghlen—"The negotiation was off then.") It was very strange that the negotiations should be off in August, when the House was considering the estimate, and on again in September. Of course, if such were the fact, there would not be that deliberate intention to conceal and deceive that would otherwise be chargeable against the Government. However, his principal object in rising was to point out that, if the provisions of the Loan Acts were properly complied with, all the information desired by the committee would be included in estimates of this kind.

Sir B. O'LOGHLEN observed that it would be impossible in this particular case to give further details in the estimate than were given, but he had had a statement prepared showing exactly how the money was to be expended.

Mr. BERRY remarked that the present case was not so glaring as some previous ones, but he still thought that, with a little trouble, the information contained in the statement referred to by the Treasurer might have been given in the estimate itself. It would be better to repeal the section of the Act which required an estimate to be laid before the House than to go through the farce of submitting an estimate which merely reproduced, without any additional information whatever, two lines of the schedule to the Act. In the previous case to which he had referred, although he would not say the estimate was intended to mislead the House, it had certainly that effect, because there was nothing whatever to show that there was any intention to purchase the soil of Kensington-hill. No honorable member had the slightest conception that the estimate of expenditure out of which the £20,000 for the purchase of Kensington-hill was taken was ever intended to authorize that outlay. If it had been known at the time that the estimate was submitted, the purchase would probably not have been sanctioned. A sum of £20,000 would be sufficient to put a continuous brake on every train which ran on the railways. If the Assembly had been asked to decide between purchasing Kensington-hill and attaching a continuous brake to every train, it would not have hesitated a moment as to which it would prefer to do. He was not aware of any other case in which the sanction of the Assembly had been obtained in an indirect way to the outlay of £20,000 for a certain object without honorable members knowing anything as to the actual purpose of the expenditure until after the bargain was completed and the money paid. He would again urge that the very object of an Act of Parliament in requiring estimates of expenditure to be laid on the table of the House was defeated unless the estimates showed the purposes for which the money was expended. In the present case, the item of £25,000 "towards erection of Houses of Parliament and the law courts" might have been divided, in order to indicate how much was to be expended on one work and how much on the other. Certainly, the item ought not to include the words "towards erection of Houses of Parliament" if it was not intended to spend any of the money on the Houses of Parliament.
Sir B. O’LOGHLEN stated that it was necessary that the items of the estimate of expenditure should be in accordance with the terms of the Act.

Mr. BERRY submitted that compliance with the terms of the Act did not prevent the estimate of expenditure being framed so as to show the actual purposes for which the money was to be applied. The object of requiring estimates of expenditure under loans to be laid on the table was that the Assembly might be seised of the nature of the proposed expenditure in the same way that it was informed by the ordinary Estimates for the year of the character of the proposed expenditure out of revenue. The estimate now before the committee was deceptive on the face of it.

Sir B. O’LOGHLEN said it was impossible to supply a detailed estimate of proposed expenditure under a loan in the same way that the Estimates of general expenditure were furnished, but honorable members had an opportunity at the time of the passing of the motion to get full information from the Minister in charge of it.

Mr. WOODS stated that the excuse put forward for the purchase of Kensington-hill from a railway point of view was not tenable. The Railway department were now duplicating the North-Eastern line from the Essendon junction to Dudley-street, and when that was done a great element of danger would be removed. Honorable members were not aware that a much more serious smash than the one at the Hawthorn line very nearly occurred at the Essendon junction within the last three weeks, but the fact was well known in certain quarters. It was by an accident that an accident did not happen. He thoroughly approved of the duplication of the line from the dangerous junction at Essendon to Dudley-street; indeed, it was a work which ought to have been carried out eighteen months or two years ago. When it was completed, it would not matter from a railway point of view whether there was a mountain or a gorge where it was proposed to deposit the stuff from Kensington-hill. He believed, however, that the swamp ought to be reclaimed, but that was a matter entirely for the Lands department.

Mr. LEVIEN asked the Minister of Water Supply whether the £25,000 towards “Geelong and Coliban waterworks extension” included any provision for the extension of water supply to St. Albans, which was promised some time ago?

Mr. C. YOUNG said that the extension to St. Albans could not be provided for out of this money. The cost of that work would have to be defrayed out of an ordinary vote. In reply to some remarks of the honorable member for Geelong (Mr. Connor) he desired to mention that it had been necessary to stop the supply of water to Geelong for domestic purposes at night because a number of persons had been in the habit of using a very large quantity surreptitiously for watering their gardens. To prevent this, and to guard against the possibility of a water famine, it was inexpedient that the water should be supplied at night. He admitted that there might be some little danger of fire by cutting off the water at night, and, in order that the risk might be obviated, he was willing to put on an extra turncock.

The motion for reporting progress was negatived.

The motion for the adoption of the estimate was then agreed to, and the resolution was reported to the House.

The House adjourned at twenty-eight minutes past eleven o’clock.

LEGALISATIVE COUNCIL.

Wednesday, December 20, 1882.

Elections and Qualifications Committee—Prince’s Bridge—Standing Committees—Railway Construction Bill: Examination of Witnesses at the Bar—Christmas Holidays.

The PRESIDENT took the chair at twenty-six minutes to five o’clock p.m., and read the prayer.

ELECTIONS COMMITTEE.

The PRESIDENT laid on the table his warrant appointing the Honorable R. S. Anderson and F. S. Dobson members of the Committee of Elections and Qualifications, in the room of Sir Charles Sladen and the Hon. F. S. Dobson.

PRINCÉ’S BRIDGE.

The Hon. J. GRAHAM asked the Solicitor-General when it was the intention of the Government to call for tenders for the erection of the new bridge over the river Yarra, at the intersection of Swanston and Flinders streets?

The Hon. F. S. DOBSON stated that the plans for the new bridge would be completed the first week in January, and tenders would be called immediately afterwards for the erection of the structure,
STANDING COMMITTEES.

On the motion of the Hon. F. S. DOBSON, the following honorable members were appointed members of the standing committee mentioned in connexion with their names:

STANDING ORDERS COMMITTEE.—The Honorables R. S. Anderson and F. S. Dobson.


PRINTING COMMITTEE.—The Honorables F. Ormond and W. Pearson.

RAILWAY CONSTRUCTION BILL.

The House went into committee for the further consideration of this Bill.

The examination of witnesses at the bar was resumed.

Messes. David Connor, president of the Buln Buln shire; T. R. Griffin, civil engineer and surveyor; Herbert Skipper, solicitor; Jindivick; Percy Smith, president of Warragul-shire; Robert Gregg, surveyor and secretary of Warragul-shire; and Philip Nind, journalist, were examined with reference to the Warragul and Neerim Railway.

Messes. C. S. Wingrove, surveyor; P. W. Smith, farmer, Alphington; James Donaldson, retired farmer, Ivanhoe; E. Crisp, postmaster, Ivanhoe; J. Blackburn, surveyor; Christopher Robinson, railway surveyor; W. Rankin, mechanical engineer; R. Watson, Engineer-in-Chief of the Victorian Railways; and H. Wrixon, surveyor in the employ of the Railway department, were examined with respect to the Warragul and Heidelberg Railway.

At the close of the examination, progress was reported.

CHRISTMAS HOLIDAYS.

The Hon. F. S. DOBSON moved that the House, at its rising next day, adjourn until Tuesday, 13th February, 1883.

The Hon. C. J. HAM expressed the opinion that it would be very inconvenient for the House to adjourn until the 13th February, considering the amount of business which it had to deal with. He would suggest that the adjournment should be only to the 1st February. The disposal of the Railway Bill would be unnecessarily delayed if the House did not meet again before the 13th February.

Dr. DOBSON stated that the Assembly had already decided to adjourn until the 13th February, and it was extremely unusual on such occasions for one House to meet when the other was not sitting. If the Council re-assembled on the 1st of February, it would be impossible for it to communicate to the Assembly before the 13th the result of any decision which it arrived at in respect to any measure. He believed that practically no time would be saved by the Council meeting before the 15th February, and he approved of following the constitutional practice of both Houses adjourning to the same date.

Mr. HAM said he would not press his suggestion if it was contrary to precedent, but he thought it was to be regretted that the Assembly had decided to adjourn for so long a period as until the 13th February.

The motion was agreed to.

The House adjourned at eleven o'clock.

LEGISLATIVE ASSEMBLY.

Wednesday, December 20, 1882.


The Speaker took the chair at half-past four o'clock p.m.

ST. GEORGE'S HALL.

Mr. ZOX (who, to put himself in order, moved the adjournment of the House) stated that he had been at the trouble that day of going through the whole of the correspondence with reference to the issue of a licence for St. George's Hall, and he had come to the conclusion that no place of amusement in the city of Melbourne had ever been so unequivocally condemned. Condemnation had been passed upon it not only by the officers of the Central Board of Health and the local board of health, but by other persons who had had the opportunity of examining the premises. However, strenuous exertions were made to get the place licensed, and he believed that the Chief Secretary ultimately agreed to issue a licence on certain conditions. It now turned out that the licence had been issued although the conditions had not been fulfilled. To show the importance of cancelling the licence it
was only necessary to read the following letter which had been addressed to the Town Clerk of Melbourne:

"18th December, 1882.

"Sir,—I have the honour to call your attention to the enclosed play-bill announcing the re-opening of St. George's Hall. This place of amusement was condemned by the local Board of Health as unfit to be licensed, on the report of their inspector and officers dated the 9th September, 1882. A subsequent application was made by Mr. Wyburn, accompanied by a plan of certain improvements, and a report was made by the officers dated 12th October, 1882. The proposed improvements as shown on plan have not been made.

"I have, &c.,

"M. R. EVANS, Inspector."

He presumed that the licence had been granted by the Chief Secretary under the impression that the alterations necessary for the public safety, as suggested by the officers of the Central Board and the local boards, had been complied with; but it appeared that the only suggested alteration which had been carried out was the closing of the gallery. The main building was in the same state in which it was some time ago, when it was reported to be unfit for public entertainments. It should be recollected that, in connexion with places of public amusement, it was necessary to guard not only against fire, but also the panic consequent upon alarm; and there was no knowing what amount of suffering, if not death, might result from an alarm in such a place as St. George's Hall when crowded with people. He sincerely hoped the Chief Secretary would see the necessity for immediately taking steps to cancel the licence.

Mr. GRANT stated that he had acted in this matter entirely by the advice of the Central Board of Health, as the following memorandum from the Under-Secretary would show:

"Before the licence for St. George's Hall was renewed the matter was referred to the Central Board of Health, who reported in writing that they had no objection to the issue of a licence for the 12 months, providing a clause was inserted prohibiting the opening of the gallery to the public; and a renewal of the licence was performed the matter was referred to the Central Board of Health, after objecting to the opening of the building on the ground that certain alterations were necessary, should now be allowed to say they "had no objection" to the opening. They ought to have objection. The matter was one which ought to be looked into, and promptly. The late owner of St. George's Hall (Mr. Porter) used all his influence, during his life-time, to obtain permission for the opening of the hall, and felt very much aggrieved that he did not succeed. What had been done since then to warrant the granting of the licence? The Chief Secretary, instead of being content with the intimation by the Central Board that they "had no objection," ought to have gone back to the board's original report, in which it was stated that the building was not safe, and ascertained whether the alterations which the board then considered necessary to make the building safe had been carried out. Unless they had been carried out, the building ought not to be opened. The very fact that the Central Board insisted on the gallery being closed was a proof that the building had undergone no alteration. It would appear that the issue of the licence was the result of pressure which had been brought to bear, and which ought to have been resisted by the Chief Secretary. He did not know what performances had been advertised to take place at St. George's Hall, but a great responsibility would rest upon the Chief Secretary if he did not send competent men to survey the building, and satisfy themselves that it was a safe place for the public to assemble in.

Mr. L. L. SMITH remarked that if the gallery, which had been pronounced unsafe,
was kept closed, and if the entrances and means of exit were free and clear, all the precautions needed for the safety of the public would be observed. He did not understand what reason the honorable member for Geelong (Mr. Berry) had for blaming the Chief Secretary. It was generally understood that the chief authority with regard to sanitary matters was the Central Board of Health, and it appeared that it was on the advice of that tribunal that the Chief Secretary acted. He did not see why honorable members should take for granted everything which Mr. Evans might say when the officers of the Central Board gave different testimony.

Mr. MUNRO observed that the honorable member for Richmond (Mr. Smith) did not seem to understand what was the real difficulty. It was well known that St. George's Hall was totally unfit to be a place of public resort. The very material of which it was composed made it so. And it should be recollected that, at this season of the year, the places of public amusement in Melbourne were attended by people from all parts of the country, who naturally looked to the Chief Secretary that, before he granted a licence for such a place, he was fully satisfied that it was fit for the public to assemble in. If the local board of health, which consisted of a committee of the City Council, were satisfied, on the report of their inspector (Mr. Evans), that a licence ought not to issue for St. George's Hall, surely the Chief Secretary ought to have held his hand. (Mr. Grant—"I acted on the report of the Central Board.") But the Central Board dealt with public buildings from a totally different point of view from that taken by the local board. The Central Board chiefly addressed itself to the question of ventilation and things of that sort. The licence, having been withdrawn, ought not to have been issued again until the local board of health had satisfied the Chief Secretary that it was right to issue it. The Chief Secretary, before granting the licence, ought to have sent an officer of the Public Works department, or some other department, to report specially whether the place was fit to be licensed. The danger of allowing the public to assemble in a building known to be unsound was most serious. In the event of any alarm arising when such a place was crowded, the result would be an immediate rush to the door, which would most likely be attended by injury to person, if not loss of life. Therefore, he considered honorable members were perfectly justified in insisting that, before any building was licensed as a place of public amusement, there should be every assurance that it was fit to be dedicated to such a purpose. He trusted the licence for St. George's Hall would be suspended until the Government were satisfied by the report of the local board, and the officers of that body, that the building was perfectly safe.

Mr. GRAVES admitted that the Government ought to hold their hand in this matter until the truth was ascertained. He knew nothing of the case except from mere rumour. It appeared that St. George's Hall had been closed, and justifiably closed, for a considerable time, and he held that, until the grounds upon which it had been closed were removed, permission ought not to be given for the opening of the building. He did not consider the fact that the Central Board of Health "had no objection" to the opening of the building a sufficient reason, of itself, for the issue of the licence.

Mr. KERFERD considered the position taken up by the honorable member for Geelong (Mr. Berry) to be unanswerable. The Central Board of Health was evidently the moving authority that guided the Chief Secretary. St. George's Hall was closed at the instance of the Central Board, and now, apparently without sufficient reason, that body had consented to the opening of the building. But if the Central Board was going to discharge the duties cast upon it by Statute in this fashion, the sooner it was swept away the better. There was a great deal of force in the argument of the honorable member for North Melbourne (Mr. Munro) that the mere fact of a building being licensed by the Government was a guarantee to the general public, who did not consider these things, that the place was perfectly safe. Now that the Government were aware of the way in which the Central Board discharged its duties, the Chief Secretary should give an assurance to the House that he would withdraw the licence for St. George's Hall, and not allow the building to be licensed again until he was satisfied that all the conditions imposed with the view to make the place really safe had been complied with.

Mr. BENT said the Chief Secretary had promised to make further inquiry, and he thought the House ought to be satisfied with that assurance. No performance was advertised to take place before Saturday night, and thus there was ample time to ascertain whether St. George's Hall was or
was not safe for the accommodation of the public.

The motion for the adjournment of the House was put and negatived.

ORDER OF MERIT.

Mr. WOODS asked the Premier whether he would take into consideration the desirability of instituting a Victorian order of merit for the purpose of recognising in a national way such acts of heroism as those displayed by the survivors of the late calamity at Creswick? He was sure that many persons in the community must have felt on such occasions as the loss of the Dandenong and the Eric the Red, when brave men risked their lives to save the lives of fellow creatures, the want of the existence of some instrumentality for bestowing upon such men some token of their heroism which might be regarded as an heirloom in their families. His idea simply was that gold, silver, and bronze medals should be struck for distribution on such occasions. The matter need involve little expense, because one die would answer for all the medals. He did not believe that such distinctions would act as an incentive to acts of bravery, because he believed the spirit of bravery was latent and inherent, and was exercised whenever the occasion required. At any rate, the history of sailors and miners was one long catalogue of acts of personal heroism and self-sacrifice. At the same time, he thought it would be well if on the occasion of courageous achievements the Government had the power to confer some honorary distinction which would cost very little, but which would mean a great deal to the recipients.

Sir B. O'LOGHLEN said he entirely concurred with the object which the honorable member for Stawell had in view, but according to the British Constitution, and according to practice, the Queen was strictly the fountain of honour. The conferring of distinctions was a privilege or prerogative which the Crown jealously guarded, and for that reason there might be some difficulty in carrying out the honorable member for Stawell's idea. He had heard that an order of merit was instituted in New Zealand in connexion with the Maori war, and he would make inquiry with the view of ascertaining whether anything of the kind could be adopted here.

CARLTON GARDENS.

Mr. ANDERSON inquired of the Minister of Lands whether he had issued any licence for the display of advertising boards on the fence enclosing Carlton-gardens?

Mr. W. MADDEN said he had not issued any licence of the kind, nor had he the slightest intention of doing so. He might mention that one part of the gardens was under the control of the trustees of the Exhibition.

WATER CONSERVATION.

Mr. LANGDON asked the Minister of Water Supply whether he had interposed to prevent the United Loddon Water Trust proceeding with the construction of a weir across the Avoca river, after plans had been approved of and contracts entered into; and, if so, what further action would be taken in the matter?

Mr. C. YOUNG stated that he stopped the progress of the works in order to inquire into certain representations made to him by the honorable member for Ballarat West (Major Smith). The result of the inquiry was the disclosure that the person on whose behalf the honorable member acted was a publican, who desired to have the water conserved opposite his own door, not for the benefit of the public, but for his own benefit. The construction of the weir would be proceeded with according to the recommendations of Messrs. Gordon and Black.

RAILWAY DEPARTMENT.

Dr. MADDEN said he desired to call the attention of the Minister of Railways to the insufficient closet accommodation at the various railway stations. He would suggest that a better class of closets be provided, for the use of which a charge should be made. Mr. BENT intimated that steps had been taken to provide better closet accommodation at the stations where it was required.

RAILWAYS MANAGEMENT BILL.

Sir B. O'LOGHLEN presented a message from His Excellency the Governor, recommending an appropriation for the purposes of the Bill to make provision for the better management of the State railways. The message was ordered to be taken into consideration next day.

EXPIRING LAWS CONTINUATION AND AMENDMENT BILL.

Sir B. O'LOGHLEN presented a message from His Excellency the Governor, recommending an appropriation for the purposes of a Bill to continue and amend various expiring laws. The message was ordered to be taken into consideration at a later period of the evening.
CHRISTMAS HOLIDAYS.

Sir B. O'LOGHLEN moved—

"That the House, at its rising to-morrow, adjourn until Tuesday, 9th January next."

He desired to take the sense of the House as to the date to which it should adjourn for the Christmas holidays. (Mr. Berry—"We are following your lead.") The House had now been in session nine months, and he would be very happy, if honorable members were so disposed, to give and to take a longer recess. ("No.") If honorable members desired a longer recess, he would be happy for them to take it, but the Government were ready to resume work on the 9th January. ("No.") He knew that there were a number of honorable members who were most anxious to take a longer holiday, and he was quite willing to accept the sense of the House on the subject. The sooner the House reassembled, the sooner, no doubt, the business before it would be disposed of. ("Hear," and "No.") A great deal of important business remained to be transacted, and if honorable members applied themselves to it after the holidays it could be disposed of. (Mr. Munro—"We want to pass the Estimates.") The honorable member for North Melbourne (Mr. Munro) was always very anxious to get that particular kind of business dealt with which he desired to have transacted, but other honorable members wished that business should be taken in its proper order. The matter of adjournment was one essentially within the province of the House, and the Government were perfectly willing to take the sense of the House on the question.

Mr. GRANT seconded the motion.

Mr. FRANCIS moved that the "13th February" he substituted for the "9th January." He was glad that the Premier was willing that the length of the adjournment should be decided by the wisdom of the House. The matter was one which ought not to be made a party question. (Mr. McColl—"Not the basis of a no-confidence motion.") If a no-confidence motion would get the House out of the fix of meeting again in a fortnight from the present time, he would be on for something of the kind. He had a horror of sitting there during the month of January, in an atmosphere which became worse as the evening progressed, to say nothing of the gas, both natural and artificial, of which there was a large supply. It was an exhaustive process to sit in the chamber three times a week during the hot season, from half-past four o'clock in the afternoon until eleven o'clock at night or later. It was impossible that under such circumstances honorable members could devote themselves with anything like spirit, strength, or due deliberation to the consideration of the business which came before them. He hoped that it would not become an established practice for the House to do nothing during the cool months and to sit in the torrid months. It was unreasonable to expect honorable members to meet in January. It was tempting Providence. He was perfectly prepared to take the responsibility of saying that he would not be a regular attendant during that month. Honorable members had been told by some portions of the press that they were hired servants, but he did not accept that position; and, if his constituents regarded him in that light, he would ask them to take back his seat with the salary attached to it, and obtain another representative. He did not recognise the necessity or obligation of sacrificing his time, health, and everything else for the sake of £300 a year. It was an insult to say that honorable members were only hired servants. He maintained that it would not be conducive to healthy legislation for the House to meet again so early as the 9th January. Honorable members ought to have at least six weeks' holiday. If schoolboys needed such a holiday, it was certainly required by Members of Parliament.

Sir B. O'LOGHLEN said he was perfectly willing to accept an adjournment until the 13th February. (Laughter from the Opposition.)

Mr. KERFERD remarked that honorable members on the opposition side of the House seemed to be highly amused at the Premier accepting the amendment, but the adjournment which the honorable member for Geelong (Mr. Berry) proposed in December, 1880, was until the 15th February following, or two days later than was now proposed. It was to be hoped that the House would unanimously agree to the amendment.

Mr. BERRY observed that he thought the Premier was in earnest the previous night when he gave notice of motion for the adjournment of the House to the 9th January, but the honorable gentleman's speech in proposing the motion was in the direction of a longer adjournment. He was afraid that the Premier had walked into the trap which his not very astute friends in the press had prepared for him. It was very pertinaciously reported in the conservative journals that the Government wanted the shortest possible recess—that they were seized with an almost
practice, the present Government had done
but that "the wicked Opposition" would not
let them. It was alleged that the Opposition
wanted a long recess to enjoy themselves,
that they would propose a motion accord-
tantly, and that the Premier would be reluc-
tantly compelled to forego his intention of
getting the House to meet again early in
January. Finding, however, that the Op-
opposition did not ask for any longer adjoin-
ment, the honorable gentleman had been
obliged to show his hand. It was quite
clear that he did not want a short holiday,
for he was willing at once to agree to an
adjournment until the 13th February.
It might be very nice tactics for the Premier
to agree to a long recess, but the honorable
gentleman would have to vote against his
own motion. (Mr. Munro—" He wants to
conquer himself.") It would have been
better if he had conquered himself before
submitting his motion. The honorable gen-
tleman might have amended the motion
before proposing it, but, instead of doing
so, he moved it as it stood on the notice-
paper, and then invited an amendment upon
it, which he was willing to accept. How-
ever, he (Mr. Berry) would call the attention
of honorable members to the real question
at issue. The House, he maintained, had
no right to adjourn. Let the Premier
returning

"Mr. Speaker

"It

"The

"The

"The

"The

adjournment is considered desirable that, in consequence of the abolition of pensions, the position of the County Court Judges should be placed on a more satisfactory footing: A Bill to secure them a better tenure of office will therefore be introduced." That Bill had not yet been dealt with. Though the Premier was not given to
blushing, he would almost blush when he
now heard the following words which he put
into the Governor's mouth:—

"Mr. Speaker and Gentlemen of the Legis-
"Mr. Speaker and Gentlemen of the Legis-

ative Assembly: Returning to the constituc-
tional practice of discussing the Estimates before
the commencement of the financial year, the
Estimates for 1882-3 will be forthwith laid before you.

So far from returning to the constitutional
practice, the present Government had done
worse than any of their predecessors. The
House had now been in session for eight months—longer than the ordinary length of
a session—and yet the Estimates had not
been dealt with at all. Nevertheless, the Go-

Adjournment for the

December 20.

Christmas Holidays.

2909
to proceed with "public business. He was charged by the Argus with having obstructed business. Only the previous day that journal said—

"So far as Mr. Berry and his associates are concerned, the session has been one of plot and passion."

There never was a greater falsehood than this statement. If he was to blame at all, it was because he had been too considerate and helpful to the Government. No doubt a large number of honorable members were anxious for a recess extending into February, and he admitted that it was not an unreasonable thing for them to ask for; but he would point out that the 13th February would be the middle of the tenth month of the session. Would it not be a farce to consider the Estimates at all if they were not considered before the middle of February? Even if the House met on the 9th January, it would only be with great difficulty that the urgent business could be got through so as to allow the next general election to take place sufficiently early to enable the new Parliament to meet in time to have control over the finances for the year 1883-4. Were honorable members going to add to their faults, which were very grievous, by adopting a course that would make the proceedings of the first session of the next Parliament almost similar to those of the last session of the present Parliament? If the Premier, in expressing his willingness to accept the amendment of the honorable member for Warrnambool, had said that as soon as the House re-assembled in February he would ask it to go on with the Estimates night after night until they were finished, and abandon all other business except such as was of an urgent character, in order that Parliament might be dissolved as soon as possible, there would be some reason for the long holiday now proposed. Unless the Premier promised to act on this suggestion, honorable members would again have the Land Bill forced on their attention, and the Estimates would be deferred until the last month of the session, when they would have to be hurriedly passed. How could honorable members face the country under such circumstances? The House ought to be dissolved in time for the general election to take place in March, or, at the very latest, in April. ("Oh?") Why should the election not take place then? Were honorable members to think of themselves only, and not of the country? (Mr. Francis—"That is it.") He certainly thought of the country quite as much as the honorable member for Warrnambool did. (Mr. Francis—"I don't dispute it.") The honorable member, who was an old and experienced member of the House, knew that many reasons, which could not be very satisfactory to himself (Mr. Francis), had made the present session what it had been hitherto, and he ought to have joined with the Opposition in accepting the original proposal of the Government for the House to adjourn to the 9th January, instead of moving that the adjournment be until the 13th February. The only thing which would justify more than a formal adjournment over Christmas would be a distinct promise on the part of the Premier that the Estimates would be proceeded with regularly as soon as the House re-assembled, with the view to a dissolution as quickly as possible. Without such a promise, when the House met again in February—the Government having one policy, the corner party another, and the Opposition a third policy—nothing would be done, the remainder of the session would be wasted, and the result would be that the general election would take place too late to enable the new Parliament to have the finances for the next financial year properly within its grasp. If honorable members had the smallest regard for their constituencies, they would not consent to an adjournment until the 13th February unless the Premier gave an assurance that the Estimates would be dealt with immediately the House re-assembled, and that, as soon as possible after they were disposed of, Parliament would be dissolved.

Mr. GILLIES observed that, if the House desired to retain even a small portion of the respect of the community, it must cease dealing in shams. He was very much surprised when the Premier gave notice of the original proposition that the House should re-assemble on the 9th of January, and he was equally astonished when the leader of the Opposition intimated his intention of supporting that proposal. What really passed through the minds of honorable members in all parts of the House when that took place? Did not the thought occur to every honorable member that both the Premier and the leader of the Opposition were playing a little game? He (Mr. Gillies) did not say that it was unreasonable of the Government to make such a proposition, because if they had asked for an adjournment until the middle of February they would have been twitted by the Opposition with having done nothing and being anxious to have as long a recess as possible; and, on the other hand,
the leader of the Opposition intimated his willingness to agree to an adjournment only to the 9th of January lest he should be taunted with wanting a longer holiday than the Government proposed. Honorable members knew very well, however, that this was likely to be the only recess they would have until Parliament was dissolved, and, under those circumstances, he would ask whether the adjournment proposed by the honorable member for Warrnambool was too long? Did honorable members believe, in their consciences, that if they re-assembled on the 9th of January they would really do more business before the time of the general election than if they met in the middle of February?

He himself would prefer that the adjournment should be till the beginning of February, but that was a point not worth quarrelling about. If the House re-assembled on the 9th of January, it would be sitting in the very midst of the hot weather, and, judging from past experience, when honorable members were compelled to attend the House in the hottest season of the year, more time was spent in wrangling than in genuine work. He did not object to the honorable member for Geelong (Mr. Berry) endeavouring to obtain an announcement from the Government of the business they intended to go on with during the remainder of the session, but he thought the present was not the time to press for such a statement.

When the House re-assembled after the adjournment, the time at disposal being short, the Government would undoubtedly be expected to inform Parliament of the course of business, and also to put on one side all measures which were not of urgent importance, and which they did not see their way to carry into law this session. He was glad the Government had accepted the proposition of the honorable member for Warrnambool, because all honorable members felt that it was a sham to talk about an adjournment until the 9th January. It was a sham on both sides unworthy of honorable members, and not creditable to the House. Such things were not calculated to raise the character of the House in the estimation of the public, because the public did not believe in shams. There was a good deal of truth in the remarks of the honorable member for Geelong (Mr. Berry) with regard to the small amount of work done during this session, although perhaps the honorable member’s observations were a little exaggerated. Undoubtedly a large portion of the session had been wasted, but it was useless recriminating at this stage, and saying whose fault it was. The best course was for honorable members to resolve that they would try and do better after the holidays, and pass some important public measures which ought certainly to be made law before the dissolution. The Melbourne Harbour Trust Act Amendment Bill was one measure which it was the general feeling of the House should be passed, and, if the Government could not spare a day from the ordinary sitting days to deal with it and also another important measure—the Judicature Bill—they ought to ask the consent of the House to sit on one or two extra days to pass those measures. If the House refused to take that course then the responsibility would rest with it, but until the Government attempted to obtain the consent of the House to hold a few extra sittings for the purpose of dealing with these important questions they would certainly be responsible if they were not dealt with. The House of Commons sat five days in the week, and met early in the day, and, considering that much of this session had been lost, it would not be too much, when the holidays were over, to ask the Assembly to sit on a few extra days. At all events, the Government ought to attempt to get it to do so, and if it refused, then the House, and not the Government, would be in fault.

Mr. McCOLL remarked that in addition to the reasons mentioned by the honorable member for Geelong (Mr. Berry) for the House re-assembling on the 9th of January there was another strong reason which had not been stated. Several of the water trusts were in a state of the utmost confusion and were in direct opposition to their constituents. The Waranga and Echuca Water Trust would be in Melbourne the following day for the purpose of interviewing the Minister of Water Supply—in order to do what? To demand that the plans drawn up by their own engineer, approved of by the Government, and on the strength of which £116,000 was advanced in order to carry them out, should be adhered to. That incumbrance upon the prosperity of the colony, Mr. Gordon, however, had put his foot down and would not sanction those plans being carried out. If for no other reason, it was necessary for the House to meet on the 9th of January in order to deal with the question of irrigation, because every hour was of importance in connexion with this subject. The House should “make hay while the sun shone,” for it was not at the season of the year when the country was in
a state of flood that irrigation could be entered upon. The crops on the Plains were 33 per cent, worse this year than they were even last year, and irrigation alone would keep the people on the land.

Sir J. O'SHANASSY said he did not suppose that any honorable member would not desire to have a holiday during the hot weather, especially after the House had been sitting for many months continuously. He thought, however, that in view of the fact that a great deal of important business of a non-political character remained to be done, and also remembering that not an item of the Estimates had yet been passed, it was not reasonable from a public point of view to propose an adjournment for nearly two months. The other Chamber was now engaged in taking evidence on the Railway Bill, and, until that measure had been returned to the Assembly and finally dealt with, he very much dreaded that there would not be that independence on the part of members of the Assembly in dealing with other important public business which ought to exist in Parliament. Honorable members were fettered in every direction by the present position of that Bill, and by the fact that the money to be expended under it would probably afford the last chance to many constituencies, for at least a long time, of obtaining what they considered justice. As the Upper House were diligently examining that measure, and would probably dispose of it very shortly, he thought it would be a pity if the Assembly did not place itself in a position to deal with the Bill immediately it left the Council. If the Railway Bill were disposed of, he ventured to think, much time as had been lost this session, a good deal of satisfactory work might yet be transacted. He thought the Government had been dangling measures before the House since the commencement of the session which they must have known that it was not possible for them to pass, in view of the position they occupied in the House. The head of a Government, in order to carry out legislation, must have a compact majority in union with his ideas, but in this Parliament there was not apparently the slightest common ground of action, apart from the Railway Bill, between any half-dozen members of the House. The Premier was in the position of the driver of a four-horse coach who, having lost control over his horses, dropped the reins and let them go where they pleased. He (Sir J. O'Shanassy) had been waiting for months past for a single hour in which to bring forward a question affecting the trade of two colonies, yet he had been unable to obtain the opportunity. In the House of Commons such a thing could not occur, because, although ten times the amount of public business was done that was transacted in the Assembly of Victoria, honorable members were always enabled at some time or other to bring forward questions of importance. He thought that on the present occasion an adjournment of three or four weeks would be ample, considering all the circumstances. After such an adjournment the House would have time to pass the Estimates, dispose of the Railway Bill, and consider some important measures which were of a very urgent character.

Mr. ANDERSON expressed the hope that the longer period of adjournment would be agreed to. If he really thought that practical business was intended to be transacted he would be quite prepared to come back to the House on the 9th January, at a considerable personal sacrifice, but he believed that if the House did meet again on that date there would only be a further waste of time without any good being done. The simile of the honorable member for Belfast with regard to the Premier being in the position of a coach driver who had allowed his reins to drop afforded a mistaken idea of the situation. It would have been much more correct to liken the Premier to a driver whose horses had been seized by men who prevented them from making any progress. These assailants had tried to drag the Premier "off the box" on several occasions, but so far they had not been successful. He (Mr. Anderson) believed that after the longer holiday proposed honorable members would come back to the House in a frame of mind more calculated to promote the transaction of business than if the House adjourned only until the 9th January.

Major SMITH remarked that he concurred in a great deal of what had been said as to the desirability of the House having a fair and reasonable adjournment, but he thought that the period proposed by the honorable member for Warrnambool was rather too long. As a compromise, he would suggest that the adjournment should be to the 30th January, and he might state that the honorable member for Geelong (Mr. Berry) was willing to accept this proposition.

Mr. BARR observed that the proposal of the Government that the House should re-assemble on the 9th January evidenced a desire on their part to promote the transaction of business, upon which they were to be congratulated. He would support the
Government proposition, but he would suggest that the Ministry should announce that when the House re-assembled they did not intend to bring on the Land Bill again. That Bill was not at all likely to be passed during the present session, and if it was dropped the way would be cleared for practical business.

Dr. MADDEN remarked that he had never known the Government and the Opposition to get so close together as they had done on the present occasion. There was only a difference of six sitting days between the period of the adjournment proposed by the honorable member for Warrnambool and that now suggested as a compromise by the honorable member for Ballarat West (Major Smith). He thought, however, that honorable members might very fairly agree to the longer adjournment. Until within the last three or four years it was the custom to prorogue the House in December until the following May or June, but a practice had recently grown up under which Parliament sat from year’s end to year’s end. Considering the time that the House had already sat, it was not too much to ask for a holiday of two months.

Mr. RICHARDSON considered that no sufficient reason had been given for an adjournment until the 13th of February. The Estimates had not yet been touched, and a great deal of important business had to be transacted before the session could close. It would be a disgrace to Parliament if they allowed almost the whole financial year to expire before dealing with the Estimates.

Mr. LANGRIDGE deprecated the remark of the honorable member for Rodney (Mr. Gillies) that the action of the Opposition in this case was a sham. The sham had been enacted on the other side, because it was patent from what had occurred that a long adjournment was meant from the beginning, although the Government thought it politic to merely propose an adjournment until the 9th January. He thought the suggestion of the honorable member for Ballarat West (Major Smith) was a reasonable compromise, but he would strongly object to an adjournment until the 13th of February.

Mr. NIMMO stated that he was very much pained when the honorable member for Rodney characterized the proposition of the Premier and the remarks of the leader of the Opposition as equally hollow. In fact, neither the honorable member for Rodney nor any other honorable member was entitled to make such a statement. So far as he (Mr. Nimmo) could judge, the observations of both the honorable member for Geelong (Mr. Berry) and the honorable member for Belfast had the ring of sincerity. Both honorable members appeared to be actuated by a desire to facilitate the progress of business. No doubt, also, the Premier was sincere in proposing that, in order to overtake the work of Parliament, the House should re-assemble on the 9th January. Unquestionably, however, the Government ought to name the measures they would ask the Assembly to deal with as soon as honorable members came together again, and it was equally certain that they ought to consider first the Estimates, and, secondly, the Harbour Trust Act Amendment Bill. With respect to the latter measure it was to be regretted, although he (Mr. Nimmo) did not blame the Government alone for the circumstance, that the Premier had not fulfilled the promise he made last December, namely, that the Bill would receive due attention in the ensuing session. Surely it was of equal importance with the Melbourne Tramway and Omnibus Company’s Bill. It was a national misfortune that the Harbour Trust were not placed in a position in which they could borrow money on easy terms for the purpose of spending it on works which would be reproductive and of public convenience to the last degree. Seeing the number of preliminary questions that had been settled, and the clear understanding on the subject at which most honorable members had arrived, there appeared to be every probability that, if the House would only take up the Harbour Trust Act Amendment Bill in good earnest, and the Premier would make a proposal with respect to it in accordance with his own good sense, they would be able to pass it in three hours.

Mr. LAURENS remarked that he had always worked in harmony with the last speaker with regard to the Harbour Trust Act Amendment Bill, and therefore he could not refrain from supporting the views he had just expressed. When the Harbour Trust Act Amendment Bill was in the hands of a private member, honorable members said it was overweighed him, but it would seem now that it was sufficient to overweight the Ministry, seeing that, although the Premier promised in his Lanesfield speech that the measure would be made a Government one, and he and his colleagues obtained great laudation on that account, they had hitherto allowed it to lie on their hands, no progress

Adjournment for the Christmas Holidays.

[DECEMBER 20.]
whatever being made with it. It was to be hoped, however, that Parliament would not disgrace itself by allowing the Bill to hang fire any longer. Why the shortcomings of the session would almost be forgiven if the Bill were taken up and finished with out of hand. As for the proposed adjournment of the House, he had always believed in short recesses. (Mr. Anderson—“No doubt they suit town members.”) He did not see that his living in town made any difference to the rights of the matter.

Mr. KERFIELD said he understood that both sides had agreed to an adjournment until the 30th January, and he thought that arrangement should be carried out.

Mr. CARTER remarked that the only way of arriving at an understanding on the present subject was to come to a vote upon it. No one could be more straightforward than the Premier was in proposing a recess until the 6th January, inasmuch as he said when he named that date that he did so because he must name some date, and that he left the House to decide what it should actually be. At the same time, he (Mr. Carter) quite concurred in the view of the honorable member for Rodney (Mr. Gillies) that the action of the Opposition was a sham. (Mr. Berry—“It is no sham at all!”) It was a sham; first, because when honorable members in opposition were outside the House they warmly supported a long recess; and, secondly, because no honorable member in his senses would advocate a sitting during the hottest part of the summer. Unquestionably the general public would denounce honorable members who made believe that they wanted Parliament to re-assemble a fortnight after Christmas as a lot of jelly humbugs. Another point was that the country was always most prosperous when Parliament was not sitting. For his (Mr. Carter’s) part, he would be only too delighted if the recess could be made to last for three years. (Major Smith—“Oh!?”) Every one knew what the Major felt on the subject—namely, that inasmuch as he was literally panting for office, he would naturally prefer the House to be sitting, because there was then always a chance of something turning up in his favour. Certainly no one could say the country was likely to suffer much from the recess being too long, if all that people could expect was that when Parliament re-assembled the Opposition would pursue their old plan of preventing the Government from carrying any of their measures, whether they were right or wrong; in the hope doubtless that such tactics would make the constituencies believe that a change of Government would be beneficial.

Mr. PEARSON observed that the Opposition were perfectly willing to admit that they were tired, and wanted a holiday, but, at the same time, they felt bound to do their duty to the country as far as they could. Besides, the honorable member for Geelong (Mr. Berry) spoke their feelings exactly when he offered to consent to a recess of any length, provided the Government would promise that, when the House re-assembled, honorable members would only be asked to consider measures which they had some chance of carrying. The honorable member for St. Kilda (Mr. Carter) taunted the Opposition with opposing the Government needlessly, but there was no justification for the imputation. A dissection of the debates that had taken up the major portion of the session would show that it was the utter incapacity of the Government to lead the House that had caused the delay of business. The action of the Premier with respect to the Council Electors Qualifying Bill formed an excellent specimen of the causes that had placed the Ministry and the business of the country in their present relative positions, and the same thing might safely be affirmed of their management of the Land Bill and the Railway Bill. What could be more absurd than their tacking to the latter measure, which could hardly be said to have received from the Assembly the consideration its gigantic proportions deserved, their monstrous Koo-wee-rup Swamp proposal? The mischief was that the Government, instead of trying to lead the House, aimed at getting the House to lead them.

Mr. DOSISTO said he quite agreed with the honorable member for Castlemaine (Mr. Pearson) that honorable members generally were tired out and ought to have a holiday, but he was utterly unable to support him in advocating that they should be required to continue their sittings while in that condition, for of course no good work could be got from them under such circumstances. At the same time, he (Mr. Bosisto) thought the Government ought to state clearly what business they meant to go on with after the recess. For example, he held strong views on the land question, but, considering the peculiar position in which the Land Bill stood, he would be perfectly willing to see it postponed for the present, if only the portion of it relating to the mallee country was carried. If that course was not taken, the mallee country
and the settlers in it would be utterly ruined.

Mr. HALL thought the charge brought against the Opposition of being parties to a sham would assume a queer aspect when the forthcoming division showed them standing to their colours while the members of the Government were voting against their own proposition. As for the House not re-assembling until the 18th February, he was inclined to think the Government were not entitled to be trusted by themselves for so long a period as seven weeks. It would be far better that honorable members should meet again in about a fortnight, and then set to work at once to dispose of the Electoral Act Amendment Bill, the Water Conservation Act Amendment Bill, and other important measures that awaited their consideration.

Mr. BENT observed that, so far from the case being what the honorable member for Moira (Mr. Hall) appeared to wish to make it out to be, more than half the members of the Opposition had asked the Government to meet Parliament on the 18th February. (Major Smith—"That is not true.") That was exactly what the Major might be expected to say, but, as a matter of fact, he (Mr. Bent) could give the names of the honorable members he alluded to. (Mr. Berry—"I believe the Government asked the honorable members, not that they asked the Government.") The forthcoming division would show how far the honorable member for Geelong (Mr. Berry) was entitled to speak for the Opposition as a whole with respect to the matter.

Mr. LEVIEI" remarked that a leading member of the Opposition told him that evening that he would be delighted with a three months' recess. A good holiday would expedite the progress of business, because it would render honorable members fit to do it.

The House divided on the question that the words "9th January," proposed to be omitted, stand part of the question—

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Majority for omitting the words 17

Mr. BENT, Mr. Blackett, Mr. Bolton, Mr. Bosisto, Mr. Bowman, Mr. Cameron, Mr. Carter, Mr. C. Clark, Mr. Cooper, Mr. Fisher, Mr. Francis, Mr. Gibb, Mr. Gilles, Mr. Grant, Mr. Harris, Mr. Kerferd, Mr. Langdon, Mr. Martin, Mr. Pearson, Mr. Richardson, Mr. Major Smith, Mr. Tucker, Mr. Walsh, Teller, Teller, Mr. Fincham, Mr. Finlayson, Mr. Zuz.
short, he regarded an adjournment to the 13th February as altogether too long.

Mr. WALSH observed that when the Premier indicated, the previous night, that it was his intention to propose that the House should adjourn until the 9th January, he appreciated the motive which the honorable gentleman seemed to have in view—namely, that the Christmas holidays should be short, in order that honorable members might have the opportunity of dealing with the Estimates for the year at the earliest possible date. No doubt honorable members who represented country districts would like to have longer holidays, and perhaps they were entitled to them; but if they considered the small amount of work which had been done during the last three months, owing to the continued obstruction offered to the transaction of public business, they must realize that the sooner the House re-assembled after Christmas the greater was the probability of something being done before the session terminated. There had already been six months' expenditure on account of the current financial year, although not a single vote on the Estimates had been passed; and it was not creditable to the House to take a holiday of nearly two months before dealing with the Estimates. Then, again, it should be recollected that the loan was to be floated on the 10th January. Possibly there might be some fiasco in connexion with that transaction, and, if so, how inconvenient an adjournment of the sittings of Parliament until the middle of February might turn out to be. He must say that the proceedings of the last few nights had somewhat sickened him of the position which he held.

The House divided on the question that the words "18th February," proposed to be inserted, be so inserted—

Ayes ... ... ... 30
Noes ... ... ... 24

Majority for Mr. Francis' amendment 6

Mr. Barr, "  Mr. Mirams,
"  Barry, "  Nimmo,
"  Blackett, "  Sir J. O'Shanassy,
"  Bossisto, "  Mr. Pearson,
"  W. M. Clark, "  Richardson,
"  Dow, "  Major Smith,
"  Fisher, "  Mr. Tucker,
"  Gardiner, "  Walsh,
"  Hall, "  Woods.
"  Kerferd, "  Tellers.
"  Laurens, "  Mr. Fincham,
"  Longmore, "  Zox.
"  McColl, "  "

The motion, as amended, was then agreed to.

Mr. ANDERSON suggested that the usual holidays should be granted to the officials employed at Parliament House, including those connected with the Library. In order that this might be done, it would be necessary to close the Parliament buildings from the 23rd December to the 3rd January. The arrangement would in reality involve the concession of only three days and a half, because the other days were proclaimed holidays.

The SPEAKER.—As it appears to be the desire of the House that the employees of the Assembly shall have the holiday indicated, I shall be glad to give directions accordingly. But the Library is not under my control. It is under the control of a joint committee of the two Houses.

MELBOURNE TRAMWAY AND OMNIBUS COMPANY'S BILL.

The further consideration of the report of the select committee on this Bill (adjourned from December 6) was proceeded with. Discussion was resumed on Mr. Langridge's proposal to substitute "2d." for "3d." as the fare for any single journey on lines embodied in the 3rd schedule which the committee had added to the Bill. (See p. 2,718.)

Mr. TUCKER rose to speak to the question.

The SPEAKER.—I understand the honorable member has spoken before.

Mr. TUCKER explained that the 6th inst., about a quarter of an hour before the expiration of the time allotted to private business, he was in the middle of his speech, and was induced to give way in order to allow the honorable member for the Ovens (Mr. Kerferd) to carry forward a stage the Statute of Trusts Amendment Bill, of which he had charge.

Sir C. MAC MAHON observed that by his own admission the honorable member for Fitzroy (Mr. Tucker), at a time when he had the right to continue his remarks, gave way
to another honorable member. Having done so, the honorable member must be held to have spoken.

The SPEAKER.—I regret that the honorable member for Fitzroy (Mr. Tucker) should be prevented from continuing his remarks, but the parliamentary rule is as stated by the honorable and gallant member for West Melbourne.

Mr. GILLIES suggested that the honorable member for Fitzroy (Mr. Tucker) could speak with the leave of the House.

The SPEAKER.—Certainly.

Sir C. MAC MAHON remarked that, if that was the pleasure of the House, he had no objection to offer; but, without the permission of the whole House, the honorable member for Fitzroy (Mr. Tucker) could not speak again to the question.

Mr. TUCKER thanked the House for its courtesy in allowing him to proceed. At the same time, he might mention that it was a pure act of courtesy on his part to give way to the honorable member for the Ovens (Mr. Kerferd) a fortnight ago. He had looked through the whole of the evidence taken by the select committee, and he found that very little of it bore on the subject of fares. A large number of gentlemen were examined on almost every conceivable aspect of the tramway question, but, curious to say, the subject of fares seemed to have been almost passed over. One witness, Mr. W. K. Thomson, spoke of the fare in America being generally about 5 cents, but he gave no evidence as to the distance which a person could be carried for that amount. He referred to tramways as a great financial success in England and on the Continent of Europe, but no member of the committee examined him about that which was, after all, the question of questions, involving as it did, the success of the company's operations, and the benefits to be conferred upon the public by tramways. Mr. James McDougall, a well-known business man, of Melbourne, gave evidence with reference to various tramways, but not a syllable was he asked about fares. Mr. J. B. Carter stated to the committee that there were 16 tramway companies in New York, and that the fare was 2d. for very long journeys. Mr. W. P. Buckhurst, another witness, mentioned that there were companies in California whose enterprise yielded a profit of from 30 to 63 per cent.; but he said nothing about fares or distances. Mr. T. P. Fallon stated that he paid 2d. and 2½d. fares on tramways along which he had travelled, but he did not inform the committee how far he went for the money. Mr. G. C. Levey was another witness, and he was not asked about fares or distances. Mr. W. H. Lane, from America, gave some evidence on the subject; he stated that, in New York, persons were carried 13 miles for 3d. and 10 miles for 2½d. Now not one of the routes set forth in the 3rd schedule was over four miles in length, and he would like the House to contrast the charge of 3d. provided for in that schedule for a maximum distance of four miles with the charge in New York of 3d. for 13 miles. Two other witnesses—Mr. E. W. Pearson and the Rev. Joseph Cook—gave decided evidence about other matters, but nothing about fares or distances. The Hon. R. S. Anderson gave evidence as to the advantages of a tramway worked by a wire cable, but he was asked no question about fares. Mr. F. B. Clapp, one of the promoters of the Bill, stated that 5 cents in America was the usual tramway charge, but he did not say anything about the distance which could be travelled for the 5 cents. Mr. W. G. Sprigg, the secretary to the Tramway Company, was examined by the committee, but he gave no information about fares, nor did he produce any balance-sheet to show the position of the company up to the present time, or on what basis the calculation was founded that 3d. per journey must be paid by the people of Melbourne for the next 30 years if the Bill were allowed to pass. Then again, Mr. Joseph Walker, a railway contractor from New Zealand, was examined, but he was asked nothing about fares. The same remark applied to almost all the evidence of the expert kind which was brought before the committee. He considered that the House was entitled to be furnished by the company with some proof that 3d. was a fair legitimate charge for conveyance by the proposed tramcars. Anybody who took the trouble to go into the slightest calculation would find that a 2d. fare would pay the company very well indeed. Omnibus tickets were sold at present for 2s. 9d. per dozen, which was 2½d. per journey. In Sydney, the tramway fare was 2d. (Mr. Walsh—"The fare is 4d. for 4 miles.") That was a penny per mile. He had no doubt that many who objected to a uniform fare of 3d. would be glad to pay a fare of 1d. per mile. In the course of a journey from Spencer-street to North Fitzroy, the omnibus load frequently changed three or four times owing to passengers getting out and getting in at short stages on the journey; and, inasmuch as it was conceded by the 3rd schedule that the fare from Spencer-street railway station to the intersection of Flinders-street...
and Swanston-street should be only 1d., he did not see why the journey by tramcar between Spencer-street and North Fitzroy should not be divided into three stages—the first terminating at Elizabeth-street and the next at Parliament-House—the fare for each of which should be 1d., so that the passengers would be charged 1d., 2d., or 3d. according to the distance travelled. Since the question had been before the House, a meeting to consider the question of tramway fares had been held in the constituency he represented, and that meeting was unanimously in favour of the fare being 3d. instead of 3d. If honorable members made any mistake in supporting a 2d. fare, it was the fault of the company in not bringing before the select committee better material on which the House could base its decision.

Mr. FISHER remarked that honorable members had before them no data to guide them in a determination as to the tramway fares; and therefore he thought it would be better for the consideration of the question to be postponed until the routes of the proposed tramways were definitely determined. He was inclined to think that, if the 3d. fare were adopted, it should be with the provision that the amount should be open to re-adjustment at the close of five years.

Mr. CARTER considered that it was exceedingly unfair for the House to be asked to decide what the fares should be before it knew the routes on which the tramcars would run or the length of those routes. He thought the honorable member in charge of the Bill ought to state distinctly, what he did not state distinctly the other night, whether he concurred in the two proposals suggested by him (Mr. Carter). One, which had already been consented to by the House, was that the fares should be subject to revision at the end of ten years from the construction of the first twenty miles of tramway. The other was that, after a similar period, the local bodies should have the power to buy out the company at a price to be determined upon by the House. In the clause of which he had given notice, he had provided that the property should be acquired for 20 per cent. above its value, but he would not object to the amount being raised, supposing it were provided that the company should part with their property at the end of twelve years for 30 per cent. above its value, that would be better than having to part with it at the end of twenty-one years, as the Bill proposed, for nothing beyond its value—for no profit at all. Whon the company obtained the monopoly which they were seeking to get, they would have no inducement to consult the convenience of the public, for the simple reason that no omnibuses or cabs would be able to compete with them. The only object which the company would have in view would be to work their tramways for the benefit of the shareholders. As they would have no inducement to consider the interests of the public, it was very desirable that the public should have the power to say at the expiration of a certain period—"We can stand this no longer; you are not consulting our convenience, and we will buy you out." There was nothing novel in such a proposal. With respect to some of the tramways in England, there was power given to the local authorities to purchase at the end of seven years at a premium of 30 per cent. above the value of the property. If the honorable member for Rodney (Mr. Gillies) would agree to the principle of empowering the local bodies to purchase any of the company's tramways and plant at the expiration of ten or twelve years from the passing of the measure at a certain price above the value of the property, say an increase of 20 or 30 per cent., he (Mr. Carter) would not have any great objection to the passenger fares proposed in the Bill, though he would rather see them less. It was quite possible that Parliament might not lower the fares at a future time when it had the power to do so, and, if it did not, he wished the local bodies to be enabled to step in and buy up the company at a fair and reasonable price. The municipal bodies had power to buy the works of the Metropolitan Gas Company, but unfortunately the terms of purchase fixed by the company's Act were unreasonable. If they were fair and reasonable, no doubt the right of purchase would be exercised by the municipal bodies. It was not desirable in the interests of the public that the Tramway Company should be fixed and immovable for so long a period as either 30 or 21 years. As to the question of fares, he thought that 2d. would be too low a fare for the company to be asked to charge for all journeys, but that 3d. would possibly be too high for short distances. He would be willing to consent to any reasonable compromise—such, for instance, as a 2d. fare within the limits of Melbourne, and 3d. outside those limits, or a charge of 2s. 6d. for a dozen tickets. He hoped, however, that the honorable member for Rodney would state that he concurred in the principle that the municipal bodies should have the power of getting rid of the company on fair terms at the end of ten or
twelve years. He (Mr. Carter) was not prepared to support a general fare of 2d., because it would be expecting too much of the company to require them to carry passengers a distance of something like five miles for 2d. each. But if the honorable member insisted that there should be no escape from the company for the next 21 or 30 years, it would be a question whether the House ought to sanction a 3d. fare for that length of time, because in the meanwhile changes might take place which would greatly reduce the cost of working tramways. To this the honorable member for Rodney would probably reply that he had consented to an amendment making it possible for Parliament to revise the fares at the expiration of ten years. But Parliament might not think it worth while to interfere; indeed, as very few constituencies were affected by the company, it was not likely that those districts which were interested in the question would get much assistance in the matter from Parliament. If the honorable member wished to see the Bill pass this session, he would do well to manifest a conciliatory spirit; for, unless he evinced a disposition to conciliation, there was reason to fear that the measure would remain in much the same position that it was at present.

Mr. GILLIES said he was not in the least surprised at the opposition which the Bill had encountered from a very small section of the House. (Mr. Gardiner—"A very interested section.") No doubt it was a most interested section, and it might be a very influential section. It was peculiar, however, that the opposition to which the Bill was subjected came from about half-a-dozen members, who took upon themselves to say that, whatever might be the opinion of the rest of the House, the measure should not pass under any circumstances. Nothing apparently would satisfy the honorable member for St. Kilda (Mr. Carter). The honorable member demanded concession after concession. A little while ago it was understood that if Parliament had the power of revising the company's passenger fares at the end of ten years that would satisfy those honorable members who objected to the Bill, but as soon as provision was made for that purpose, and there seemed to be some probability of the Bill becoming law, another concession was asked for which it was perfectly well known could not be granted. (Mr. Carter—"They were both asked for together.") When it was agreed, the other evening, that Parliament should have the power of revising the fares at the end of ten years, he (Mr. Gillies) presumed that the 3d. fare would be passed without alteration. To ask that the fare should now be fixed at 2d. was simply preposterous. The proposal that the local bodies should have the power to purchase the company's tramways, or any of them, at the expiration of ten years, was also altogether unreasonable. If the company constructed the various tramways contemplated by the Bill their expenditure would amount to something like half a million of money, because they would be obliged to make the tramways in a superior manner. Probably a number of years would elapse before the tramways would begin to pay a reasonable rate of interest on the expenditure; and it was proposed that, just about the time when that result would be attained, the local bodies should have the power to take the tramways out of the company's hands. A more unreasonable proposal was never heard of. If the lines paid, the local bodies would be ready to purchase them; if they did not pay, the local bodies would not look at them. He had been under the impression that the concession allowing Parliament to revise the fares at the expiration of ten years would remove the principal difficulty to the passing of the Bill, but apparently that was not to be the case. Under the circumstances, all that he could ask the House to do was to discuss each new proposal as it was brought forward.

Mr. CARTER remarked that, when he proposed that Parliament should have power to revise the fares after the expiration of a certain period, he also suggested that the local bodies should have power to purchase the tramways. Both amendments, in fact, appeared on the notice-paper simultaneously. The statement of the honorable member for Rodney (Mr. Gillies) that he (Mr. Carter) first asked for one concession, and then, having got that, applied for something else, was simply incorrect.

Mr. NIMMO observed that the honorable member for Rodney (Mr. Gillies) considered that the opposition offered to the Bill was very peculiar, but in his (Mr. Nimmo's) opinion it was peculiarly right and proper. In the Glasgow Tramways Act there was a proviso whereby, if at the end of four years the company felt that their tramways were not paying, they could hand them over to the City Corporation, and, on the other hand, if the corporation considered that the lines were not conducted in the interests of the public, they could purchase them from the company. That was a fair arrangement as between the corporation and the company,
and it placed the public in a safe position. If five weeks ago the honorable member for Rodney had consented to a similar provision being embodied in this Bill, all the difficulties in the way of the passing of the measure would have been removed. It was not an unreasonable proposition that, on the expiration of a certain number of years, the municipal bodies should have the power of purchasing the company's tramways at a fair percentage in excess of their then value. It might turn out that the tramways were a very remunerative speculation, and that it would be an infringement upon the rights of the public to allow them to remain in the hands of a private company for such a long period as 21 or 30 years. From the moment that the Bill was read a second time, he felt bound in honour not to obstruct the passage of the measure; but he considered it to be his duty to contend for such a reasonable amendment as would give the local bodies the power of purchasing the tramways at the end of ten or twelve years.

Mr. GARDINER said the inference to be drawn from the remarks of the honorable member for Rodney (Mr. Gillies) was that the concessions which had been obtained had been granted as a compliment to the honorable members who had opposed the Bill, and not because they would be beneficial to the public. If the measure became law great privileges would be given to the Tramway Company, and the establishment of tramways in Melbourne and the suburbs would throw a large number of men out of employment. As a set-off against that result, it behoved the House to see that the interests of the public were thoroughly protected, and that concessions favorable to them were granted by the company. He believed that those honorable members who had opposed the Bill had shown that they were true friends to the public.

At this stage, the time allotted for giving precedence to private members' business having expired, the debate stood adjourned until Wednesday, February 14, 1883.

EXPIRING LAWS CONTINUATION AND AMENDMENT BILL.

The House went into committee to consider the Governor's message on this subject, presented earlier in the evening.

Sir B. O'LOGHLEN moved—

"That it is expedient that an appropriation be made out of the consolidated revenue for the purposes of a Bill to continue and amend various expiring laws,"

The motion was agreed to, and the resolution was reported to the House and adopted.

 Authority being given to Sir Bryan O'Loghlen and Mr. Grant to prepare and introduce a Bill to carry out the resolution, Sir B. O'LOGHLEN brought up a Bill "to continue and amend various expiring laws," and moved that it be read a first time.

The motion was agreed to, and the Bill was read a first time.

Sir B. O'LOGHLEN moved that the Bill be read a second time. He stated that the 2nd clause provided that the Drawbacks Act 1872, the Diseases in Stock Act 1872 (except so much of the 7th section as had been repealed), and the Fences Statute 1874 should be continued until the end of the next session of Parliament. The 3rd clause provided for the continuance and amendment of the existing land law, which would otherwise expire on the 31st of this month. For the sake of the revenue it was very important that the land law should not be allowed to expire, and it was proposed to continue it for six months. The 4th clause provided for the continuance of the Rabbits Suppression Act 1880, as amended, for twelve months. As to two of the Acts it was not actually necessary to bring in a continuing measure at the present stage, but the other two—the Rabbits Suppression Act and the Land Act—would expire on the 31st of the present month, and, therefore, they would require to be renewed before the House adjourned for the Christmas holidays. It was absolutely necessary, for the protection of the revenue, that the Land Act should be continued for six months. (Mr. Gillies—"Why not for twelve months?") The Government thought that six months was the proper time. It was possible that within six months other land legislation might be passed. (Mr. Gillies—"Continuing the present law for twelve months will not prevent that being done.") It might raise difficulties in the way. At all events, the Government were of opinion that the most satisfactory course would be to continue the Land Act for six months only. By adopting that course the Act would expire at the termination of the present financial year.

Mr. RICHARDSON considered that it was judicious to include in one Bill all the expiring laws which required to be renewed, but he thought that the Premier was not acting wisely in proposing that the Land Act should be continued only until the
end of the current financial year. He (Mr. Richardson) might agree with the proposal if there was a prospect of fresh land legislation being carried before the end of the session, but there was not the slightest probability of that being done. The whole of the Estimates had yet to be dealt with, and they involved the education question, the appointments made by the present Government, and other matters which would cause considerable discussion. In fact, the Estimates would be sufficient to occupy the remainder of the session. Parliament would expire by effluxion of time in July next, but it would be most unfortunate if it was permitted to continue until that period, and thus necessitate the holding of the general election in the winter season. The dissolution ought to take place in sufficient time to allow the election to be held at the end of April or beginning of May. It would be foolish for the House to consent to renew the existing land law only until the end of June, because before then it would be necessary to introduce a measure to continue it for a further period. The Premier would consult the public interests by asking the House to renew it until the 31st December, 1883, instead of until June.

Sir B. O'LOGHLEN remarked that the question of the date to which the existing land law should be continued could be dealt with when the Bill was in committee.

Mr. BERRY said that the proposal for thecontinuance of the present land law involved one or two principles which ought to be debated on the second reading of the Bill rather than when the measure was in committee. It had been usual for the Ministry of the day, when they were not able to deal with the land question during the current session, to obtain an extension of the existing law for twelve months; but the present Government were now asking for an extension for six months only. The Premier had not explained the reason why he proposed to depart from the usual course, but the reason appeared to be that the Government had not abandoned the idea of passing their Land Bill during the present session. What did that mean? It simply meant that when the House re-assembled on the 13th February the Government intended to go on with the Land Bill, to the exclusion of other business. There might be reasons why the existing law should be continued for another year, but to renew it for six months only would simply prepare greater trouble for the future. The latter course would be very objectionable. Rather than renew the Land Act for six months, it would be preferable, he thought, to allow it to expire altogether, so that the attention of the country might be forcibly directed to the land question at the next election. A few months' loss of revenue would be more than compensated for by the increased interest which would be taken in the subject by the country if the Act was permitted to expire. If the House agreed with the proposal to extend the Act for six months, it would be concurring in the policy of delay and putting off the Estimates which the Government had carried out all through the session. After the House re-assembled in the middle of February, the Government would naturally say that honorable members, when they extended the existing law for six months, knew that the amending Bill was to be dealt with again this session. (Mr. L. L. Smith—"What is the difference in principle between six and twelve months?") If the Act was renewed for twelve months, that would mean that the question was not going to be dealt with again this session, and he thought that it ought not to be; but if the Act was renewed for only six months, that would be a clear indication that the question was to be dealt with again this session. (Mr. Gillies—"You are bound to renew the Land Act.") He believed that the House would renew the existing land law. (Mr. Gillies—"It must do it.") It need not do it at all, and if there was anything remaining of the spirit that existed in the old days of the Convention, when the honorable member for Rodney was a great advocate for "free grass," the Act would not be renewed. The non-renewal of the Act would at all events have the effect of establishing that principle at once. He admitted that there was no likelihood of such a result being realized, but what he maintained was that the Land Bill ought not to be brought on again this session. If the Government would agree to the continuation of the Land Act of 1869 for twelve months instead of six, he would not say anything more. ("Hear, hear.") If that was the intention of the majority in going into committee on the Bill, he would offer no objection to the Bill being committed.

Sir J. O'SHANASSY remarked that he did not think the non-renewal of the Land Act of 1869 would have the effect of bringing about "free grass." He believed that from a legal point of view the parties in possession, although their pastoral licences would have lapsed, would have a right to the occupation of the land as against other persons. (Mr. Grant—"Not against the
Crown," But against the public; and as the Crown was not a Nebuchadnezzar, and did not require "free grass," there was nothing in the distinction drawn by the Chief Secretary. If the existing law was allowed to lapse, the practical result would be that the persons now in possession would remain in their present position until there was fresh legislation. He agreed, however, that to renew the Act for only six months would be simply paltering with the question. What was the use of renewing a tenure for six months? Supposing that at the end of June next there happened to be a change of Government, or a dissolution, the country would occupy exactly the same position that it did now with regard to the settlement of the land question—there would be no new land legislation. Then there might be an interval of two or three months to allow of the re-election of new Ministers and the carrying out of party arrangements, and during that period the pastoral tenants would be deprived of their tenure. From every point of view, therefore, it was necessary that the Land Act should be renewed for a year. There was another point to be considered in connexion with this question. The country was spending £12,000 a year in a so-called extermination of rabbits which was really no extermination at all, whereas the rabbits could be suppressed without any cost whatever to the State if the Government would only agree to divide the Land Bill, and allow the House to deal with that portion of it about which there was no dispute—namely, the portion referring to the mallee country. By that means a great annual waste of money would be stopped, and the two adjoining colonies would be deprived of a just cause of complaint which they now had against the conduct of Victoria in neglecting to get rid of a pest which was beginning to be felt severely in both New South Wales and South Australia. He hoped that when the House re-assembled in February the Government would bring in a separate Bill dealing with the mallee country. If they did so it would be very speedily disposed of, and some practical legislation at all events would have been done this session. He hoped the Government would agree to the continuation of the Land Act of 1869 for another twelve months.

Mr. KERFERD observed that there was an important objection to the form of the Bill. The object of the measure was to amend the existing Land Act, and to continue it and certain other expiring laws. According to the Governor's instructions, however, several matters could not be included in the same Bill, so that if the measure was passed as it stood there might be a difficulty in His Excellency assenting to it. The point appeared to be one which came within the province of the Speaker to consider.

The SPEAKER.—I do not think it is my duty to interpret the Governor's instructions. The point raised by the honorable and learned member for the Ovens (Mr. Kerferd) is one for the Governor and his advisers to consider.

Mr. KERFERD considered that it came within the duty of the Speaker not to allow a measure to be passed by the House the form of which was contrary to the Governor's instructions. If the Government yielded to the general wish of the House, and made the Bill simply a measure to continue certain expiring laws, there would be a precedent for such a measure being passed, but it was quite an innovation to pass a Bill providing for the continuation of a number of expiring laws, and also amending a law.

Mr. GRANT observed that, in deference to the wishes of honorable members, and also in view of the objection pointed out by the honorable member for the Ovens (Mr. Kerferd), the Government would agree to the amendment of the Bill in committee so that it would continue the Land Acts for twelve months. This course would remove all technical difficulties.

Mr. FISHER suggested that, in order to facilitate dealing with the land question, the Government should during the holidays take steps to have the land belonging to the State classified. If the work of classifying was set about at once, it could be completed before the House re-assembled.

The motion for the second reading of the Bill was agreed to.

The Bill was then read a second time, and committed.

On clause 3, providing for the continuation of the expiring Land Acts mentioned in the 2nd schedule until the 30th June, 1883,

Sir B. O'LOGHLEN moved the substitution of "31st December" for "30th June."

Mr. LONGMORE observed that there were some matters connected with the administration of the land law to which he proposed to refer.

Sir B. O'LOGHLEN stated that the Government wished to advance several matters a stage that evening, and, if there was to be any debate on the present Bill, they would prefer that progress should be reported.

Progress was then reported.
EXPENDITURE UNDER LOANS.

The resolution authorizing certain expenditure under Act No. 737 in connexion with the Houses of Parliament, the law courts, and the Geelong and Coliban waterworks (passed in committee the previous day) was considered and adopted.

PUBLIC INSTRUCTION.

The House having gone into committee, Sir B. O’LOGHLEN moved—

“That the following estimate of the expenditure which the Minister of Public Instruction proposes to incur during the year ending 30th June, 1888, under Act No. 737, be agreed to by the committee:—

“Towards erection of State school buildings throughout the colony, £25,000.”

Major SMITH observed that he wished to call attention to the fact that, although a list of the State schools which it was proposed to erect had been circulated, no information was given as to the cost of any of the buildings. He thought the Government ought not only to supply a list of schools, but should also inform the committee of the probable cost of each building.

Mr. BERRY remarked that the information given in the list which had been circulated was really of no value whatever. Every honorable member knew that the £25,000 now being appropriated would not build one-fourth of the number of schools on the list. How were the committee to know which of the schools mentioned in the list were going to be erected?

Sir B. O’LOGHLEN stated that a number of honorable members from all parts of the House had been pressing on the Government the urgent need which existed for additional schools. A sum of £80,000 had already been spent under the authority of a Temporary Advances Act, in anticipation of the loan to be floated next month. It was now proposed to spend a further sum of £25,000 in the same manner in the erection of schools, according to their urgency.

Mr. BERRY considered that the explanation given by the Premier did not meet the objection which had been raised. The Government were now asking for a sum of £25,000 on the ground that certain urgent cases had to be met. What could be more simple than that the Minister of Public Instruction should bring down a list of those cases, showing how much was to be spent on each school? The list which had been circulated was really a list of all the schools that would be required in the colony for several years to come. What was the use of submitting a list of that kind? The information which the committee required was what schools were going to be built out of the £25,000 now asked for—whether, say, there were ten schools to cost £2,500 each, five at £3,000 each, or ten at another amount. (Sir B. O’Loghlen—“This is simply a vote on account.”) Yes, and the committee was left in darkness as to what was going to be done with the money. The Ministry were really asking for carte blanche to spend the money how they liked and where they liked. They would be able to do what they pleased as regarded honorable members, and, if an honorable member was a good supporter, he might get something out of the vote. There had been too many votes of this kind.

Sir B. O’LOGHLEN said the Ministry had really nothing to do with this matter. It was altogether a departmental affair in which they did not interfere.

Mr. BERRY remarked that some disclosures had been made that day at the inquest on the Hawthorn railway accident which showed that Ministers did interfere. He admitted that there were cases in which Ministers did perfectly right to set aside the decisions of permanent officers when they were convinced they ought to do so. No doubt the advice of a permanent officer was entitled to the greatest respect, but he could not see what was the use of Ministers at all if they could not exercise a certain amount of judgment. (Mr. Bent—“I say ‘Hear, hear,’ to that.”) Nevertheless, he must express the opinion that Ministers ought not to disregard the advice or recommendations they received unless they could show that there were good and substantial grounds for taking such a course. In the present case, he thought the committee were fully entitled to have the information which had been asked for, but, if the Minister of Public Instruction would give a distinct promise to furnish the particulars required the following day, there would be no necessity for pursuing the discussion.

Mr. WHEELER expressed the opinion that the Minister of Public Instruction ought to inform the committee of the exceptional cases of urgency which it was intended to provide for out of the amount now being appropriated. In his (Mr. Wheeler’s) own district, additional school accommodation was urgently required at Allandale.

Mr. McKEAN remarked that there were several places in his district—Toongabbie, for instance—which were not mentioned at all on the list which was in circulation,
although they urgently needed school accommodation. He hoped the Minister of Public Instruction would see that these omissions were rectified.

Mr. RICHARDSON observed that the list which had been placed in the hands of honorable members was quite misleading. At several of the places mentioned schools already existed, and the money asked for in connexion with them was only for repairs. Unless school accommodation was promised for Allandale, he could assure the Minister of Public Instruction that this estimate would not be passed before the holidays.

Mr. GRANT stated that he would on the following day lay before the Assembly a list of the schools to which the proposed expenditure of £25,000 referred.

Sir J. O'SHANASSY remarked that the committee were entitled to be furnished with more information than a mere list stating that certain schools were urgently needed. He had noticed that the Minister of Railways had been boasting recently that the present Government had done more for the Education Act than any Ministry which had preceded them. (Mr. Bent—"I never boast.") Certainly the language of the Minister was very like boasting. The Government had taken credit for the appointment of the Education Commission, and undoubtedly that body had been doing the Government's work splendidly. They had been sitting for a year, wasting time, and although they had not yet made any effort to send in a report. With regard to the main purpose for which they were appointed they had done absolutely nothing, and in the meantime the Government were spending money "hand over fist" on a system of education which some of them believed to be wrong.

Mr. WALKER stated that some time since tenders were invited for the erection of a school building at Kew, but none was accepted, because they were all above the departmental estimate. He wished to know if this circumstance would entitle the school requirements of Kew to preferential consideration?

Mr. GRANT replied that the school requirements of each district would be considered in their order of urgency.

Mr. McLEAN expressed the hope that the school requirements of Broadlands would receive attention at an early date.

Mr. ZOX complained that, in spite of many promises by the Government on the subject, East Melbourne was still without a State school building.

After some further discussion, the motion was agreed to. The resolution was then reported to the House.

SUPPLY.

The House having resolved itself into Committee of Supply,

Sir B. O'LOGHLEN moved—

"That a sum not exceeding £640,000 be granted to Her Majesty further on account for or towards the payment of the following services for the year 1883-4, viz.:—Legislative Assembly, £1,850; the Library, £440; Refreshment Rooms, £165; Chief Secretary's Office, £1,710; Government Statist, £270; Police, £26,000; Penal Estabishments and Gaols, £1,000; Hospitals for the Insane, £15,250; Industrial and Re­formatory Schools, £5,210; the Observatory, £1,100; Public Library, Museums, and National Gallery, £2,890; Government Botanist, £850; Shortlands, £1,045; Vic. Journal Office, £850; Agent-General, £550; Audit Office, £1,300; Expenses of carrying out the Land Tax Act, £290; Aborigines, £2,000; Friendly Societies, £50; Miscellaneous (Chief Secretary's department), £5,065; Educational, £38,500; Misc­ellaneous (Education department), £1,100; Their Honours the Judges, £440; Law Officers of the Crown, £2,700; Crown Solicitor, £1,000; Prothonotary, £490; Master-in-Equity and Lunacy, £2,935; Court of Insolvency, £430; Registrar-General and Registrar of Titles, £4,310; Deputy Registrars, £1,000; Sheriffs, £2,935; County Courts, Courts of Mines, and General Sessions, £4,500; Police, Magistrates and Wardens, £2,800; Clerks of Courts, £2,000; Coroners, £1,045; Treasurer, £5,500; Government Printer, £7,600; Advertising, £650; Curator of Estates of Deceased Persons, £180; Land Forces, £1,000; Naval Forces, £5,050; Charitable Institutions, £15,000; Transport, &c., £290; Miscellaneous (Treasurer's department), £70; Survey, Sale, and Management of Crown Lands, £18,500; Public Parks, Gardens, and Reserves, £1,200; Botanical and Domain Gardens, £1,300; Extirpation of Rabbits and Wild Animals, £2,000; Public Works department, £2,200; Yan Yean Water Supply, £3,000; Miscellaneous (Public Works department), £800; Works and Buildings, £2,600; Customs, £8,275; Ports and Harbours, &c., £4,000; Miscellaneous (Customs department), £2,000; Naval and Military Services, £3,000; War Office, £2,100; Victoria Waterworks in Country Districts, £1,500; Agriculture, Forests, and Industries, £290; Grants (Agricultural department), £10,750; Scab Prevention and Diseases in Stock, £1,350. Total, £640,000."
was concerned. Yet no Estimates ever demanded more attention than did the Estimates for 1882–3, because they were crowded with items of a questionable character. For instance, the promotions made in the public service which appeared in them were apparently inexplicable except on sectarian grounds. The assertion that their consideration had been delayed by the factious action of the Opposition was mere nonsense.

Sir B. O'LOGHLEN said the committee generally knew the peculiar circumstances of the case, and there was no need at the present stage to ask who was to blame for them. An exceptional state of things had arisen whereby the consideration of the Estimates had been delayed. The same contingency had occurred more than once in previous sessions. For instance, the Appropriation Bill for 1880–1 covered over £3,860,000, but when it was passed £110 constituted the total proportion of the amount that had not been previously granted under Consolidated Revenue Bills. (Mr. Laurens—"But the Estimates had been considered.") They had only partly been considered. They were still under way when the fifth or sixth Supply Bill of the session was passed. (Mr. Laurens—"A new Ministry came into office in August.") He was not now casting blame on any one, but simply showing that, although the present state of things was very peculiar, it was not unprecedented. The question was what, now that honorable members were face to face with the situation, were they to do? All the animadversion in the world would not get over the fact that Supplies were wanted to cover the expenditure of the next two months, and that to be of any service they must be granted before the recess. There was really no use discussing the pros and the cons. Let honorable members make the best of the facts before them. Let them also remember that, until the Estimates were passed, no increase of pay to any civil servant that did not arise in the way of departmental promotion could possibly come out of the Treasury.

Mr. RICHARDSON asked the Treasurer to promise that, on the 13th February, honorable members would be called upon to proceed with the Estimates as speedily as might be convenient.

Sir B. O'LOGHLEN stated that the House would scarcely tolerate an arrangement under which honorable members would stand pledged to go on with the Estimates no matter what other business of urgency presented itself. At the same time he could safely promise that when the Assembly met after Christmas the consideration of the Estimates would be proceeded with as speedily as possible.

The motion was agreed to.

The resolution was reported to the House, and adopted.

WAYS AND MEANS.

The House then went into Committee of Ways and Means.

Sir B. O'LOGHLEN moved—

"That, towards making good the Supply granted to Her Majesty for the service of the year 1882–3, the sum of £640,000 be granted out of the consolidated revenue of Victoria."

The resolution was agreed to, and was reported to the House.

CONSOLIDATED REVENUE (£640,000) BILL.

The resolution passed in Committee of Ways and Means was considered and adopted.

Authority being given to Sir Bryan O'Loghlen and Mr. Grant to introduce a Bill to carry out the resolution, Sir B. O'LOGHLEN brought up a Bill "to apply out of the consolidated revenue the sum of £640,000 to the service of the year 1882–3," and moved that it be read a first time.

The motion was agreed to, and the Bill was read a first time, and passed through its remaining stages.

The House adjourned at eleven o'clock.

LEGISLATIVE COUNCIL.

Thursday, December 21, 1882.

Consolidated Revenue (£640,000) Bill—Defence of the Colony: Supply of War Material: Appointments in the Local Forces—Melbourne Harbour Trust—Railway Construction in Gippsland: Mr. Campbell's Motion for Select Committee: Second Night’s Debate—Railway Construction Bill: Examination of Witnesses at the Bar: Railway Passes for Witnesses—Expiring Laws Continuation and Amendment Bill.

The President took the chair at twenty-five minutes to five o'clock p.m., and read the prayer.

CONSOLIDATED REVENUE (£640,000) BILL.

This Bill was received from the Legislative Assembly, and, on the motion of the Hon. J. MACBAIN, was read a first time.

Mr. MACBAIN, with the leave of the House, moved that the Bill be now read a second time.
The Hon. R. S. ANDERSON observed that he did not think that the Council would object to pass through all its stages without notice a Supply Bill which was required to pay the current expenses necessary to carry on the government of the colony. A Supply Bill, however, ought to be strictly limited to that purpose, and he noticed that one of the items in the present Bill was an amount of £232,400 for the Victorian railways. Surely such a large sum was not required solely for wages and salaries?

Mr. MACBAIN remarked that the item referred to by Mr. Anderson covered salaries, wages, and maintenance—in fact, everything connected with the working of the railways except contracts for new works. Unless the amount was provided, it would be impossible to carry out repairs which were absolutely necessary for the safety of the travelling public.

The Hon. F. T. SARGOOD asked whether Mr. MacBain could supply any information regarding the item of £3,035 for the "Naval Forces"?

Mr. MACBAIN stated that the amount provided for salaries and wages and all items of expenditure in connexion with the naval forces, including the Nelson and the Cerberus. (Mr. Sargood—"Does it include war material?") He was not aware.

The Hon. J. A. WALLACE remarked, in connexion with the item of £232,400 for the Victorian railways, that there was an immense quantity of work done by day labour in the Railway department which ought to be executed by contract. He had no hesitation in saying, from his own observation, that some of the men working on the lines did not do anything like a fair day’s work. Under the present system bad workmen received just as much wages as good men, so that there was no encouragement to industry.

The motion for the second reading of the Bill was agreed to.

The Bill was then read a second time, and was afterwards passed through its remaining stages.

DEFENCE OF THE COLONY.

The Hon. F. T. SARGOOD asked the Solicitor-General the following questions:—

1. Whether it is the intention of the Government to authorize Major-General Scratchley, while in England, to place orders for, and, so far as possible, to supervise the construction of such war material as may be needed to complete the defence works of the colony.

2. Whether the Government have (in accordance with recommendation of His Excellency Sir Wm. Jervois and Major-General Scratchley) ordered two batteries of breech-loading field guns, and, if such have not been ordered, whether the Government intend requesting Major-General Scratchley to purchase same.

The Hon. F. S. DOBSON stated that war material had been ordered, and Major-General Scratchley’s services would be utilized when required. The batteries referred to in the second question had not been ordered, as the matter was still under consideration.

Mr. SARGOOD further inquired from the Solicitor-General as follows:—

"1. Whether an Imperial officer has been selected to occupy the position of Commandant to the local forces?

2. Whether the Agent-General has been able to secure the services of two officers to act as adjutants or instructors?

3. Whether the Government have authorized, or will authorize, the Agent-General to request the future Commandant to select two artillery and two infantry non-commissioned officers to act as drill instructors?"

Dr. DOBSON remarked that Imperial officers had not yet been selected by the home authorities, but the latter had communicated with the Agent-General on the subject. The matter referred to in the honorable member’s third question was still under the consideration of the Cabinet.

MELBOURNE HARBOUR TRUST.

The Hon. W. A. ZEAL asked the Solicitor-General if the Government would consider the advisability of extending the jurisdiction of the Melbourne Harbour Trust so as to include the control and management of the river Yarra from the Falls-bridge to Dight’s Falls, and to grant to the different cities and towns within the foregoing area equitable representation on the trust? He remarked that the reason he put the question was in consequence of the insanitary condition of the Yarra.

The Hon. F. S. DOBSON observed that the Government were not in possession of any request from the Harbour Trust for the extension of jurisdiction referred to by Mr. Zeal. A Bill to amend the Harbour Trust Act was now before the Legislative Assembly. That measure had been drawn up with the assent and approbation of the trust, but the present proposal had never been officially suggested to the Government. (Mr. Zeal—"I think it has.") He (Dr. Dobson) was assured that the Minister of Customs had no knowledge of such a suggestion.

RAILWAY CONSTRUCTION IN GIPPSLAND.

SECOND NIGHT’S DEBATE.

The debate (adjourned from December 7) was resumed on the Hon. James Campbell’s
motion for the appointment of a select committee (see p. 2,729) to inquire into and report upon the proposed Beaconsfield, Drouin to Poowong, Warragul to Neerim, and Moe to Narracan lines of railway, and upon the relative merits of tramways and railways for the special requirements of the localities mentioned.

The Hon. W. A. ZEAL.—Mr. President, I beg to ask Mr. Campbell whether he has any objection to amend his motion by the addition of the proposed lines from Drouin to Neerim, and from Warragul to Poowong, to the list of lines regarding which the select committee are to report?

The Hon. J. CAMPBELL.—I have no objection whatever to accept the suggestion.

The motion was amended accordingly.

The Hon. F. E. BEAVER.—Sir, I regret that I cannot support the motion. I have every confidence in the gentlemen named as the committee to make the inquiry proposed by Mr. Campbell, but I confess I cannot see how they would be likely to learn more about this matter if they travelled from one end of Gippsland to the other, than we would learn by taking evidence at the bar of this House. I am at a loss to imagine what further information could be obtained by a committee travelling over Gippsland that could not be as well obtained by honorable members generally from the examination of witnesses at the bar. In fact, I am quite sure we can understand a great deal better the evidence we get here than lay members of a committee would do gradients and curves, which I venture to say they know nothing whatever about. I think it would have been a far preferable course if the House had agreed to re-assemble after a shorter holiday than has been carried, so as to get through with the Railway Bill; but, while I regret the long adjournment, I think it is far better for honorable members to do their business in the House than to go rambling about the country.

The Hon. R. S. ANDERSON.—Mr. President, I quite admit that the present proposition is an extremely unusual and exceptional one. The usual course on occasions of this kind is to act upon the evidence obtained through the Government, but we have now had nearly all the evidence the Government can give us, and I am bound to say that when it is carefully examined it is almost nil. The information which has been furnished to the House by the Government officials who were examined at the bar has been of the very slightest character. Then the House has also obtained evidence from persons living in the districts the various railways are proposed to serve, and I must say that the impression left on my mind is that that evidence was of the most unreliable description. We have heard statements made of the most diametrically opposite character. According to witnesses from Warragul, for instance, the proposed line from Warragul to Neerim would be of the most payable character, and the land all along that route is first class, while the land between Drouin and Neerim is almost worthless. The witnesses from Drouin, on the other hand, gave evidence just to the opposite effect. From such evidence given by interested parties, it is almost impossible to ascertain what are the true facts of the case.

I feel that it is hardly compatible with the dignity of the House to appoint a peripatetic committee of the character proposed, and the proposition is only justifiable owing to the very exceptional circumstances in which we find ourselves placed. We are about to spend a very large amount of money, and we desire to spend it to the best advantage. I think that under the circumstances—looking at the exceptional character of the country in Gippsland, and the very contradictory character of the evidence which has been taken at the bar—it is exceedingly desirable that we should get reliable information. The gentlemen who have been nominated on the select committee proposed are men who will make an honest, careful, and judicious investigation, and I am perfectly sure that whatever report they may bring up will be relied and acted upon by the House. I know that, for my own part, the appointment of the committee will relieve my mind from a very great difficulty looking at the exceptional character of the country in Gippsland, and the very exceptional circumstances in which we find ourselves placed.

The people of the district themselves appear to be very adverse to the proposition. Their pride appears to be hurt by the proposal to have tramways instead of railways, and they would apparently prefer to have half the length of railway to double the amount of tramway. The committee will be able to ascertain whether the opposition to tramways is based on good and sufficient grounds, and at all events I am sure they will obtain a very large amount of valuable information.

The Hon. J. MACBAIN.—Mr. President, Mr. Anderson says it is a most unusual course for this Chamber to appoint a committee to make inquiries in the proposed peripatetic manner, and I quite concur with him.
I do so the more unreservedly because the honorable member did not offer a single reason why the ordinary practice should be departed from. Honorable members have already greatly prolonged the work of the House in connexion with the Railway Bill by the examination of witnesses, and now they are invited—I impute no improper motives in the matter to Mr. Campbell or to any one else—to increase the delay by interfering with the functions of the Government. I admit that a large number of honorable members are in favour of the motion, but for myself I beg to enter, in the most unquestionable way, a strong protest against it, so that if adopting it has the effect of jeopardizing the passing of the Railway Bill within a reasonable time, the honorable members who countenance that proceeding, and not I, will have to bear the responsibility attaching to it. What there is about railways for Gippsland that is radically different from the case of railways for other parts of the country, I don't know; nor do I know anything to justify us in reviving the question whether for particular districts we should have tramways instead of railways. Men as well able to settle the point as we are decided it in favour of railways many years ago, and their decision was ratified by the unanimous voice of Parliament and the country. I don't suppose that my protest against Mr. Campbell's motion will carry much weight, but I repeat that none of the responsibility connected with its adoption will rest on my shoulders. If we initiate, with respect to Gippsland, a course of railway policy different from that adopted by us with regard to the rest of the country, we enter upon a course of which we cannot see the end. One thing I ask honorable members to bear in mind is the effect that might be produced in relation to the flotation of the £4,000,000 loan on the 10th January next if it became known in the London market beforehand that in this colony the Railway Bill which the Assembly had already carried, and which the Council had partially approved of, had been subsequently so radically altered by the latter body as to be made to sanction the taking of an entirely new and extraordinary course with regard to Gippsland. If the Council cannot agree with the proposals of the Government with regard to railways for Gippsland, their proper plan will be to reject the portion of the Bill relating to the subject, and by that means throw upon Parliament as a whole the responsibility of deciding anew the question of railways versus tramways. I hope honorable members will not think I am actuated by party feeling, or by a mere desire to thwart the supporters of the motion—because I am satisfied that their motives are thoroughly good—when I say that upon constitutional grounds I set myself against Mr. Campbell's proposition to the utmost of my ability.

The Hon. F. S. Dobson.—Sir, I do not exactly agree with all that has just fallen from my honorable colleague, because I wish the House to be placed in possession of the fullest possible railway information, but there is a practical difficulty in the way of carrying out the plan set out in Mr. Campbell's motion to which it will be well to pay some little attention. If the committee is appointed, it can hardly go to work without the assistance of shorthand writers and clerks, and I know of no fund from which expenses of that kind could be met. Again, I know of no source from whence money could be taken for the expenses of the committee itself.

Mr. Wallace.—Each member of the committee will pay his own expenses.

Dr. Dobson.—If that is so, and the honorable members to form the committee are disposed to give their time as well to the intended investigation, I will be only too glad, as far as I am concerned, to assist them to the utmost to obtain the information they seek, and I am sure the Government as a whole will be delighted to make use of their personal experience. The adoption of their report when they bring it up will be, of course, quite another matter. However, when it is absolutely proposed to alter the settled railway policy of the country will be time enough to make a stand against any plan of the kind. At the present stage, having given the question more consideration than I had accorded to it when I spoke last upon it, I shall not oppose the motion.

The Hon. F. T. Sargood.—Mr. President, I hardly understand the grounds on which Mr. MacBain regards this motion as an interference with the functions of Government. Has not the House the right to consider all matters in connexion with the Bill, and also to throw it out altogether? How can honorable members be said to be opposing the Government, and obstructing it in the exercise of its undoubted authority, when they simply seek to obtain for the community generally more accommodation under the Railway Bill than it was at first proposed to provide. Surely the object of sending the measure to the second Chamber was that it should receive additional attention. I hold also that the
fact that the Assembly did not give the Bill the consideration it deserved at their hands throws upon this Chamber a responsibility of a very onerous character. Well, that responsibility we have endeavoured to fulfil by examining numerous witnesses at the bar; but what, so far, has been the result of the proceeding? That we have got very little reliable testimony, and a great deal that is highly conflicting. Matters standing thus, I hold that we do not interfere with the Government in any way when we simply seek to ascertain by other means, including personal observation, whether the adoption of tramways of a particular kind in particular districts would not be of very great advantage to the public? Mr. MacBain told us that the question of tramways versus railways was decided long ago, but I do not remember the occasion on which the decision was given, while I am, on the other hand, perfectly aware that during the last 20 years tramways have developed all over the world in a very surprising way. Under these circumstances I maintain, first, that it is by no means clear that we, as a Legislative Chamber, are not perfectly entitled to reconsider the point I allude to, and, secondly, that the grounds on which it ought to be judged are so widely different from those which existed only a very short time ago that some such reconsideration is absolutely necessary. Why, only a few years since, there was scarcely a mile of public tramway in existence in any part of Europe, whereas now the length of such tramways may be estimated to be thousands and thousands of miles. As to it being possible that the action of the Council in carrying Mr. Campbell's motion would have an injurious effect upon the new loan, the idea of such a thing is enough to make one smile. Surely those likely to subscribe to the loan will be more inclined than ever to do so when they hear that the question of railway construction is receiving greater attention at our hands than we have yet bestowed upon it. The objection that there are no funds to defray the expenses of the intended committee is one I hardly expected the Government to raise. For my part, I do not remember the occasion on which Mr. Campbell's motion was decided long ago, but I don't think that they go far enough. If we cannot decide upon the evidence now before us, how will a report from the Government to supply one. 

Mr. ANDERSON.—If the committee is appointed, it will become the constitutional duty of the Government to provide funds to enable it to discharge its functions. Such a provision has been made in multitudinous instances in connexion with the Assembly, and no doubt it will be done also in the present case.

Dr. DOBSON.—The money must be voted by the Assembly; we cannot vote it.

The Hon. J. A. WALLACE.—Sir, the main ground on which I support the motion is that we cannot come to a decision upon the evidence we have hitherto taken. What is its effect? With respect to the Neerim line, for instance, what do we find? That the Drouin witnesses all declare that that locality would be the best starting point, while the witnesses on the other side give similar testimony in favour of Warragul. As to the expenses of the committee, I will pay my share of them out of my own pocket. I may mention that, some years ago, I was instrumental in a number of witnesses being called to the bar of the House, and that I had ultimately to defray the cost of the arrangement.

The Hon. P. HANNA.—Mr. President, I regard it as not only strange but suspicious that it is not proposed to place on the intended committee a single one of the honorable members who represent the Gippsland district. Is Gippsland to be made the scapegoat of a proposal the real object of which is kept in the background as something to be ashamed of? Under the circumstances, I think it my duty to oppose the motion.

The Hon. J. BALFOUR.—Sir, I feel some doubt as to how I ought to vote on the present occasion. What is the object of constituting a roving committee of this kind? We were never before asked to appoint such a body, and I don't see that a case for proceeding in that way now is at all clearly made out. I admit that the arguments offered by Mr. Sargood have weight, but I don't think that they go far enough. If we cannot decide upon the evidence now before us, how will a report from a select committee place us in a better position? I have the utmost confidence in the honorable members named in Mr. Campbell's motion, but what do they know about railways to make it incumbent upon me to bind myself to their decision? Besides, what
can they possibly see of country which will, owing to the thick way it is timbered, be only visible to them from any point for, say, a quarter of a mile? Since the committee could not do anything without an engineer to help them, would it not be best for us to ask the Government to select a few responsible professional engineering officers, and send them to Gippsland to report on tramways versus railways for that district. Upon the whole, I don't see how we could come to a better conclusion than one derived from evidence given at the bar. At the same time, I would cordially agree with the honorable members named in Mr. Campbell's motion visiting Gippsland during the Christmas recess, and afterwards reporting on the subject in their individual capacity. Such a report would be received with pleasure, and be of great use. I do not, however, think that appointing them to act in an official way would be of any benefit whatever.

Mr. CAMPBELL.—Mr. President, I wish to reply to some of the objections offered to my proposition. In the first place, with respect to the strong remarks made by Mr. MacBain, I would ask him what is the proposed line to Port Campbell if it is not a tramway?

Mr. MACBAIN.—It is a light railway.

Mr. CAMPBELL.—It may be called a light railway so far as the Bill is concerned, but for conversational purposes it is merely a tramway. I make that assertion with a full recollection of the description the Solicitor-General gave us the other night of the style in which that line and others are to be constructed. I may go further, and affirm that the fact that the Bill contemplates the construction of lines so peculiarly different in character is sufficient in itself to prove that there is no real force in the statement that the question of tramways versus railways has been already effectively decided in favour of the latter. Indeed, when it is admitted that the railways intended to open up districts like that of Port Campbell or the Omeo ought to be very different in construction from not only the line from Melbourne to Sandhurst, but also from other lines of a less expensive character, one need go only a very little further in order to raise the point whether tramways would not after all be preferable for the purpose. Mr. Zeal has declared the figures relating to tramways already placed before us to be not reliable, and no doubt some of them are rather misleading, but I may remark that no great stress has been laid upon their accuracy. All I have contended for is that there should be some inquiry into the matter of tramway accommodation.

An HONORABLE MEMBER.—We have made inquiries.

Mr. CAMPBELL.—I do not think, however, that we have carried such inquiries to any extent worth speaking of. As for the evidence we have taken at the bar, can a large proportion of it be said to be worth having? On the other hand, does not some of it point most markedly to the conclusion that it is to the last degree undesirable that we should construct railways along certain routes? For instance, one witness spoke last night of two miles and sixteen chains of line in which there would occur no less than nineteen bridges. Again, have not Mr. Wallace and other honorable members pointed out that the testimony given with respect to different lines in the Bill is most conflicting? Have we not, for instance, had witnesses from Drouin speaking of a particular route in terms of the utmost condemnation, and witnesses from Warragul praising it in the highest way? I ask honorable members, as sensible practical men of business, whether they can safely allow themselves to be guided by that sort of evidence? I wish also to impress upon them the importance of putting before themselves the question whether dealing with traffic accommodation for Gippsland is not a problem only to be satisfactorily solved in the interests of the country by the adoption of something strongly resembling tramways. For instance there is among the mountains of Gippsland a vast amount of magnificent country to be developed by bringing it into communication with the rest of the colony, and on the means of communication we adopt depends the time at which that development will take place. If we construct railways for the purpose, it will undoubtedly be many years before the end in view will be achieved, whereas we might, by resorting to tramways, arrive at the consummation of our wishes in the matter almost at once. Look at the example America sets us. I have travelled there over many hundreds of miles of railway on which there was not an ounce of ballast, and the sleepers of which were laid upon the bare ground. Why was that style of construction adopted? Simply in order that certain parts of the country might be opened up. Why cannot we adopt a similar plan here?

An HONORABLE MEMBER.—On the Shepparton and Numurkah Railway the sleepers are simply laid on the ground,
Mr. CAMPBELL.—If that plan is adopted in one instance, why cannot it be adopted in others? I have only one more argument to meet, namely, that in adopting the proposed committee we will be acting beneath the dignity of this Chamber. But what has given the Council its dignity in the past, and will, I hope, sustain it in the future? It is the judicial character the House has always maintained. It is the way in which it has risen above party spirit, striven for moderation, and shown a perpetual desire to deal with questions purely on their merits, and in the light of how best to promote the good of the country. Shall we be consulting our true dignity to the highest extent if, at a juncture like the present, we rest content with what the witnesses who come to the bar can impart, and do nothing ourselves to obtain the information we unquestionably require? To that proposition I say “No.” It is by showing ourselves ready to exert ourselves in the public service that we shall best retain the respect and regard of the community as a whole. I will repeat that my motion has not been made in another place, and I beg to inquire whether Ministers think it necessary to pass the present law for six months only, but the Assembly, by the extraordinary length of time which the Railway Construction Bill had occupied. The result was that it was necessary to pass the present measure to continue various expiring laws, which were enumerated in the Bill, inasmuch as there had not been opportunity to enact fresh legislation in regard to them before the period at which they would expire. Amongst the Acts which the Bill would renew was the existing land law. It was originally proposed to continue that law for six months only, but the Assembly decided that it would be more desirable to extend its operation for twelve months, and the Bill was amended accordingly. It would be quite competent for the Legislature, however, to deal with the whole land question at any time during the twelve months. In
fact, if the two Houses could agree to pass a new land law in March or April next, and repeal the existing law, the passing of the measure now before the Council would not prevent them doing so.

The Hon. J. LORIMER remarked that the Solicitor-General had charged the Council with obstruction. The honorable gentleman must have spoken inadvertently.

Dr. DOBSON stated that he did not use the word "obstruction." He referred simply to the inordinate length of time which the Railway Bill had occupied.

Mr. LORIMER said that the Solicitor-General also stated that legislation had been impeded in both Houses. He hoped that the honorable gentleman did not charge the Council with impeding legislation?

Dr. DOBSON replied that he certainly did not mean to make such an accusation, nor did he think that his words would bear that interpretation. All that he stated was that legislation had been impeded by the great length of time occupied over the Railway Bill.

The motion was agreed to, and the Bill was read a second time, and was afterwards passed through its remaining stages.

RAILWAY CONSTRUCTION BILL.

The House again went into committee for the consideration of this Bill.

The examination of witnesses was continued.

Mr. Daskein gave further evidence, and the following witnesses were also examined with regard to the Port Campbell and Camperdown line:—Messrs. W. Ferguson, inspector of State forests; Robert Lord, merchant; and William George Sturgess, timber merchant.

The Hon. W. McCULLOCH inquired if the Solicitor-General had fulfilled his promise to take the opinion of his colleagues with respect to the issue to witnesses of free railway passes?

The Hon. F. S. DOBSON replied that he had not yet had an opportunity of consulting his colleagues in the matter. He would, however, point out one strong objection to the course Mr. McCulloch suggested, namely, that if free railway passes were issued to witnesses and they were also paid their expenses in town, their number would be increased at least threefold.

At the close of the examination, progress was reported.

The House adjourned at ten minutes to ten o'clock, until Tuesday, February 13, 1883.

LEGISLATIVE ASSEMBLY.

Thursday, December 21, 1882.


The Speaker took the chair at half-past four o'clock p.m.

PROTHONOTARY.

Mr. BARR asked the Attorney-General whether the Government intended to appoint a Prothonotary at an early date, and whether the gentleman (Mr. Firebrace) at present temporarily performing the duty was to be appointed to the office?

Sir B. O'LOUGHLEN said he did not think there was any urgent necessity for making the appointment at present.

THE POLICE.

Mr. DOW asked the Chief Secretary when he intended to make the promotions in the police force recommended some time since by the Police Commission?

Mr. GRANT stated that he intended to bring the matter under the notice of his colleagues in the course of a few days.

Mr. HUNT inquired of the Chief Secretary what steps, if any, had been taken towards investigating the case concerning Constables Crowe and Westcott, in connexion with the arrest and imprisonment of Hugh Ward?

Mr. GRANT said the Chief Commissioner of Police reported that, owing to the illness of Constable Westcott, the inquiry had been unavoidably postponed.

TIMBER RESERVES.

LAND AT WOMBAT.

Mr. FINCHAM asked the Minister of Lands the following questions:—

1. If a land board, held at Daylesford on the 8th December instant, recommended allotment 29, parish of Wombat, should be granted to Martin Judge?

2. Was this land the same that Mr. Richardson, when Minister, recommended by minute should be withheld from sale in consequence of the timber that was known to be on it suitable for mining purposes?

3. Has this land been sold since the land board referred to was held; or, if not, will the
Minister prevent it being disposed of until the House has had an opportunity of discussing the question of reserves?"

He brought the subject of the land referred to in these questions under the notice of the House shortly before the late Minister of Lands left office, and a promise was then made that the land should be withheld from sale until the House had an opportunity of expressing its opinion generally on the question of reserves. He was anxious to know from the present Minister of Lands whether he intended to respect the promise of his predecessor?

Mr. W. MADDEN read the following replies to the questions:—

"1. The local land board, which sat at Daylesford on the 7th December, 1882, recommended the issue of a licence to Mr. William Rodda.

"2. Yes.

"3. The land has not been sold. Mr. Martin Judge, who also applied for the land, has appealed against the recommendation of the local land board, and the appeal will be heard by the Minister on Wednesday, the 10th January next, both applicants having received notice to attend. This land was first applied for by Mr. Rodda in February, 1881. The application was recommended by a local land board, which sat at Daylesford on the 19th May, 1881, and that of Martin Judge was recommended, with a condition that six months be allowed to remove the timber. Against this Mr. Rodda appealed, and his appeal was heard by the Hon. Mr. Richardson, then Minister of Lands, on the 8th June, 1881. Mr. Richardson wrote the following minute:—'I have no doubt this land should be granted to Mr. Rodda, but the land is timbered, and cannot at present be granted.' On 10th July, 1882, Martin Judge addressed the honorable the Minister of Public Works and Agriculture on the subject, and a report was obtained from Mr. Z. Chamberlain, forester, to the effect that the timber on the land was of inferior quality, and of very small value. In consequence of this the application was sent to a local land board for re-hearing, and that of Mr. Rodda was recommended by the board that sat at Daylesford on the 11th last, on the ground that Rodda had pegged the land a day before Judge. A condition was attached that Judge was to be allowed time to remove the buildings erected by him on the land. It appears that Mr. Rodda first occupied the land by virtue of a licence to him from the trustees of one James Dorphin, and that Judge has placed improvements, consisting of a two-roomed house, fencing, grubbing, and clearing on the land, without having any title thereto."

Mr. FINCHAM inquired of the Minister of Lands whether he would respect the promise made by his predecessor that the land should not be sold until the House had the opportunity of discussing the question of reserves? (Mr. C. Young—"This is not a reserve.") But it was looked upon as absolutely necessary to be included in the adjoining reserve.

Mr. W. MADDEN said the land had not been reserved in any way. The application of Rodda was granted by the then Minister of Lands, subject to the condition that the licence should not issue for six months. As he had stated, the appeal against the recommendation of the local land board would be heard by him (Mr. W. Madden) on the 10th January, and, pending the hearing of that appeal, it was unreasonable to question him further on the subject. However, he would take care that if the land contained valuable timber it should be fully reserved.

Mr. RICHARDSON remarked that, when he was Minister of Lands, he promised, on the floor of the House, that the land referred to by the honorable member for Ballarat West (Mr. Fincham) should not be dealt with until the reserve question was disposed of by Parliament. The grant was withheld on that account. The minute which he put upon the papers was put because of Rodda's representation that he purchased the improvements which were on the land.

Mr. W. MADDEN said of course a promise like that referred to by the honorable member for Creswick (Mr. Richardson) would be respected.

The subject then dropped.

ST. GEORGE'S HALL.

Mr. ZOX asked the Chief Secretary whether he had any additional information to lay before the House with reference to the licensing of St. George's Hall as a place of public amusement?

Mr. GRANT stated that he had received the following memorandum from the Central Board of Health:

"St. George's Hall.

"In further reference to this matter, I have the honour to report that this morning a thorough examination of this hall by Mr. Le Capelain, representing this board, and Mr. Smith, building surveyor, and Mr. Evans, revenue inspector, for the Corporation, who have agreed to the report attached.

"The agent of the proprietor of the hall was present, and gave instructions there and then for the alterations and improvements to be at once effected.

"It may be mentioned that the tenants' leases in this building will shortly fall in, when the proprietor intends pulling down the hall and rebuilding it.

"A further report will be submitted when these matters have been attended to.

"John J. Shillinglaw, Secretary.

"Central Board of Health, 21st December, 1882.

"The report referred to in the memorandum was as follows:—

"St. George's Hall.

"On a further inspection of this building by the officers of the Central and Local Boards of Health, the following alterations and improvements have been found absolutely necessary,
viz., the gallery to be closed, and a passage made from the auditorium to the stone stairs escape doors, having a strong hand-railing on each side—the passage on the ground floor from the stone stairs to Bourke-street to have the floor put into thorough repair—two strong girders supports and suitable girders to be fixed under the entrance stairs.

All this work to be executed to the satisfaction of the officers of the Local Board of Health.

“In consideration of these improvements being satisfactorily executed, it is recommended that a license for a term of six months be granted.”

“S. LE CAPELAIN, for Central Board of Health.

JAMES E. SMITH, Building Surveyor.

MARTIN R. EVANS, Inspector of Revenue.”

Acting upon this report, he directed the following communication to be sent to the attorney for the lessees:

“Chief Secretary’s Office,

21st December, 1882.

Sir—Referring to the licence issued by the Chief Secretary on the 30th ult. under the provisions of the Theatres Statute 1865, for the building known as St. George’s Hall, Great Bourke-street east, Melbourne, I am directed by the Chief Secretary to forward to you the enclosed copy of a report furnished to him by the Central Board of Health, in which it is stated that certain further improvements and alterations are absolutely necessary for the safety of the public attending that place of amusement, and to inform you that, in view of the statements therein made, he has, by the enclosed instrument, this day revoked and cancelled the said licence, and that no renewal of a licence for the said building will be granted until it shall have been reported to the Chief Secretary by the Central Board of Health that the improvements and alterations specified in the enclosed report have been effected to the satisfaction of the said board.

“I have &c.,

T. H. WILSON.”

FITZROY POST OFFICE.

Mr. TUCKER asked the Minister of Public Works whether a promise which he made a short time ago that tenders would be invited for the erection of a new post-office at Fitzroy before the end of the year would be carried out in its integrity?

Mr. C. YOUNG stated that the plans and specifications were finished only the previous day, and he had since directed tenders to be called for.

WATER CONSERVATION.

Mr. McCOLL asked the Minister of Water Supply if he would place in the Library the petition complaining of the sites of certain weirs on the Avoca? He was induced to put this question by the jaunty reply given by the Minister the previous day to the honorable member for the Avoca (Mr. Langdon). The petition referred to, which was signed by all the selectors in the neighbourhood, complained that the weirs were being placed in the interests, not of selectors, but of squatters.

Mr. C. YOUNG stated that the petition referred to was not at present in the possession of the Water Supply department. It was in the hands of an officer of the department who was now in the Avoca district. As soon as it was returned, it would be placed in the Library. His statement the previous night had been confirmed by further inquiry. The inhabitants of the district generally desired the weirs to be constructed as proposed by Messrs. Gordon and Black, and as approved of by the water trusts, and the only objection proceeded from an individual who desired, for certain purposes, that water should be conserved at his own door.

Mr. McCOLL said he would move the adjournment of the House in order that he might address himself to the question of water on the Northern Plains. He desired to lay before honorable members certain facts with which his constituents had made him acquainted, and he would leave the House to say whether the evils of which he complained should be allowed to exist any longer.

The SPEAKER.—The honorable member for Mandurang (Mr. McColl) has on the notice-paper a motion for a select committee “to investigate the whole question of conserving and supplying water to the Northern Plains” ; and it is contrary to the law of Parliament to debate, on a motion for the adjournment of the House, the subject of a motion on the notice-paper.

Mr. McCOLL asked the Minister of Water Supply if he would state to the House the nature of the application submitted to him that morning by a deputation from the Echuca and Waranga Water Trust, the complaint which they preferred against Mr. Gordon, and the concessions made by the Minister?

Mr. C. YOUNG replied that no concessions were made.

PETITION.

A petition was presented by Mr. Harris, from a public meeting of residents of Prahran, praying for the adoption of such measures as might be necessary to place the State railways under safe and efficient management.

RAILWAY DEPARTMENT.

Mr. DOW asked the Minister of Railways if he would open the Darkbonee railway station for wheat traffic, and arrange the table of fares?
Mr. BENT said, as soon as there was any grain ready, the department would be in a position to carry it. The rates had already been arranged.

Mr. BOWMAN inquired whether the Minister would arrange to have the eight hours system, which was in force at the Melbourne, Ballarat, Sandhurst, and other stations, carried out also at Maryborough?

Mr. BENT said he had received the following reports on the subject: —

"The eight hours system is carried out as far as possible at Maryborough and other stations.

"General Traffic Manager."

"The locomotive branch at Maryborough consists of only engine-drivers, firemen, and cleaners occupied in the running of trains. The system is based upon mileage or trips. They run from Maryborough to Ballarat, Castlemaine, and other places. A day's wages are paid if the work is done in six, eight, or nine hours. If more than nine hours are occupied, a little extra is allowed.

Time is taken in conjunction with mileage. Cleaners only work eight hours all over the colony.

"S. Mints, Loco. Supt."

BOTANIC GARDENS.

Mr. FISHER asked the Minister of Lands whether a survey had been made with the object of forming a carriage drive through the Botanic-gardens, at South Yarra; and, if so, what was the estimated cost of such survey and proposed alteration? It seemed to be almost inconsistent with the nature of Botanic-gardens that they should be intersected by a carriage drive. Such a drive might be an advantage to a few individuals, but he did not think it would conduce to the general interest.

Mr. W. MADDEN, in reply to the question, read the following memorandum: —

"The proposed continuation of the South Yarra drive follows the general direction of Anderson-street towards the river bank, and thence along the Yarra bank, re-entering the St. Kilda road on the top of the rise at the Immigrants' Home. It forms part of the general design for the improvement of the Domain and Gardens. The circuit of the entire drive, when completed, will be four miles. The design, plan of which is attached, meets with the entire approval of Mr. Guilfoyle, the curator of the Domain and Gardens. When carried out, Melbourne will possess a drive for the recreation of its inhabitants such as can be equalled in few cities. The detailed working plans for the design are not yet completed. It is proposed that the work shall be carried out by instruments, the outlay incurred being defrayed out of the annual parliamentary grant. The work will probably extend over a period of three years before it can be completed."

CUSTOMS DEPARTMENT.

Mr. TUCKER asked the Minister of Customs whether there was any truth in the rumour that he contemplated appointing an extra weigher on the staff of the Customs department, over the heads of ten or twelve other persons, during the recess?

Mr. GRAVES stated that this was the first he had heard of the rumour. There was no necessity for appointing any officer to the staff during the recess, and no officer was going to be promoted over the heads of his seniors. The employés in the Customs department might rest assured that, while he was there, no such unfair promotion would be made.

GISBORNE RAILWAY STATION.

Mr. W. MADDEN laid on the table, pursuant to order of the House (dated November 8), papers relating to the purchase of the Gisborne railway station site.

EXPIRING LAWS CONTINUATION AND AMENDMENT BILL.

The House went into committee for the further consideration of this Bill.

Discussion (adjourned from the previous evening) was resumed on clause 8, providing for the continuation of the Land Acts, and on Sir Bryan O'Loghlen's amendment that the continuation should be until the 31st December (instead of the 30th June), 1888.

Mr. LONGMORE stated that he desired to take advantage of this opportunity to draw attention to certain things which had been done in the Lands-office during the last twelve or fifteen months. When he was Minister of Lands, he issued certain regulations with regard to the mortgaging of selections which made a great deal of stir; and when the present Minister of Lands came into office, those regulations were abolished. The result of that proceeding was that transactions in connexion with the mortgage or sale of selections on which only a portion of the rent was paid were not known, because they were not registered. Another regulation, first issued by Mr. Casey, and afterwards renewed by him (Mr. Longmore), was to meet the case of servants on stations who were employed as dummies. That regulation—which made the whole colony open to selection by the public generally, except the runs upon which these men lived as servants of the pastoral tenant for the time being—was afterwards set aside. (Mr. Gillies—"It was illegal.") It was not illegal. The Minister of Lands, for the time being, had the power to declare any land not open for selection as against any individual in the colony. (Mr. Gillies—"No.") The gentlemen who were directly interested in proving the illegality of the
regulation never dared to contest the matter in the Supreme Court. Yet that regulation had been set aside, with the result that land selected on runs by squatters' servants had gone, in nine cases out of ten, into the hands of large proprietors. Under the circumstances he did not feel at all astonished that the power given by the 110th section of the Land Act of 1869 to the Governor in Council to make regulations—a power which was given after most careful consideration on the part of the Assembly, and after the intentions of Parliament, as embodied in two or three Acts, had been defeated by the dummy-mongers—would be to a great extent set aside under the Land Bill which had been under the consideration of the House this session. He wanted honorable members to understand that regulations framed under the Land Act 1869, which were also applicable to the amending Land Acts, had been relaxed and set aside by the present Ministry, having their power given by the Land Act of 1869 to the Governor in Council to make regulations—a power which was taken away from themselves a large amount of power to make regulations that there was in the Land Act 1869. (Mr. Mirams—"That Bill is dead"). It might be dead, but, at all events, he was not astonished that the Government in that measure had taken particular care to do away with all those regulations, seeing that they had relaxed them in every possible way in favour of the pastoral tenants and dummy-mongers. Under those circumstances, one was justified in asking whether the Assembly ought to be satisfied that the administration of the Land Act should be left in the hands of the Government for another year. Honorable members were now invited to give the Government the power, if they remained in office, to administer the land law for twelve months longer in the same way that they had hitherto done. This was a very serious matter. There was another thing which he wanted to bring under the notice of honorable members. When he was Minister of Lands he found that the Lands-office was absolutely besieged by agents, and he determined to keep those agents out of the office. He would tell honorable members something which occurred when he was not connected with the department. There was in the office a clerk who had to deal with the issue of leases when they were ready to be sent out. That clerk had a son in town practising as a land agent, and as the leases were ready to be issued he informed his son of the fact and of the names of the persons for whom they were prepared, and kept them back until his son wrote to the parties, and told them that they could get their leases immediately if they sent him two guineas. When a selector sent two guineas to that land agent, he speedily got his lease. A large business was carried on in that way, as the selectors found that they could obtain their leases without delay on sending two guineas to that land agent. This practice was found out, and the clerk was instantly dismissed upon proof of what he had done. He (Mr. Longmore) was not saying that these irregularities occurred during the time that the present Ministry had been in office. He was simply referring to them as an illustration of the evil effects of sanctioning the employment of agents. The agents got to know the business that was to be done—they ascertained what leases were ready to be issued—and they immediately wrote to the persons whose leases were prepared, and who had perhaps been applying for them unsuccessfully for a long time, stating that the documents would be obtained for them immediately if a fee of two guineas was paid to them (the agents). That was the way in which money had been taken from selectors and handed over to land agents. The case of the man who was dismissed from the Lands-office did not by any means show the only evil effects of the system of agents. The system naturally raised up a lot of unscrupulous men who got to know, through the department, how they could batten upon the public, and they batten accordingly. When he was Minister of Lands, he absolutely prohibited agents from coming to the office to deal with the business of the public; and he insisted that every letter from a selector, whether it was well or ill written, should, if it could be deciphered at all, be attended to at once, without the intervention of agents. What was the case now? On a previous occasion he told the present Minister of Lands that he (Mr. Longmore) found agents there every time that he went to the Lands-office. The place was crowded with them. The Minister denied it at the time, but he could assure honorable members that he had hardly ever gone into the office since the honorable gentleman had had charge of it without seeing two or three agents there. (Mr. W. Madden—"The honorable member's statement is an exaggeration.") In August last he told the Minister that Byron Moore, who was there constantly, ought not to be allowed to enter the Lands-office, and the Minister
replied that he had not seen Mr. Moore there for three months. After that, a letter with Byron Moore's signature to it was received by a man in the country, saying that he (Byron Moore) had seen the Minister a day or two before, and that the matter in which the man was interested would be attended to at once. What, therefore, was the value of the Minister's assertion? (Mr. W. Madden — "My assertion was perfectly correct.") The honorable gentleman's assertion was absolutely disproved, or else Byron Moore was a liar. (Mr. Mirams—"Read the letter, and lay it on the table.") He could not lay the letter on the table, because to do so might injure a certain party. He was not going to allow a private letter to be laid on the table for any member to look at, when the information which it contained had been given to him in confidence.

The CHAIRMAN.—I desire to remind the honorable member for Ripon that the Speaker has ruled that an honorable member ought not to quote from a letter unless he is prepared to lay the letter on the table of the House, in order that other honorable members may peruse it if they desire to do so.

Mr. LONGMORE remarked that it had been ruled by the Speaker of the House of Commons that a Member of Parliament might read a document charging a Minister of the Crown with not doing his duty, and the member was not bound to place the document on the table of the House.

The CHAIRMAN.—I am simply stating the ruling which has been given by the Speaker of the Victorian Legislative Assembly. I trust that the honorable member will not attempt to ignore that ruling.

Mr. LONGMORE stated that he would not pursue the matter further, as he did not intend to lay Byron Moore's letter on the table, because he did not get it for that purpose. He desired, however, to say that he did not concur with the Speaker's ruling to which the Chairman had referred. He (Mr. Longmore) maintained that a member was responsible for what he read or what he stated in the House, and that he ought not to be bound to lay on the table every letter from which he quoted in the course of debate. This contention would have to be upheld hereafter, because it would not do for honorable members to allow every one who gave them information to be hauled up to the bar of the House.

Mr. WOODS observed that a man ought not to give information which he would not face out before anybody. At the Railway department he always made persons who gave information face out what they asserted, and that killed the sneaks.

Mr. LONGMORE said it was all very well to talk about sneaks, but he had got the document to which he alluded in his possession. It was not given to him by the individual to whom it was sent. It was handed to him in order that he might see it, but he was not going to allow any man to be trampled upon by the party in power, simply because he wished to see right done. He desired to repeat that agents were continually about the Lands-office, and they were not there for a good purpose, but simply in order to make money out of those who ought to be attended to by the department without the intervention of agents. An honorable member on the Ministerial benches had asked him if he was going to refer to the case of McLean, and he would now reply that he was going to do so. McLean's case was one of the most discouraging cases which had ever occurred in the colony of Victoria. McLean had been subjected to the persecution of Byron Moore, of Wilmot, and of A. E. Moore, for years and years, while in the discharge of his duty. A long time ago he was finding out certain dummies in the Wimmera district, and Byron Moore, who shifted him from there, became intimately connected with a certain family afterwards, and the dummies were never brought to light. McLean was complimented for the skill which he displayed in connexion with the Kerrisdale cases, which were very difficult to shew home. Wilmot was once a surveyor, who put roads over the tops of mountains, so that the people could not take land from the pastoral tenants, and he was now the agent of pastoral tenants, and was continually in the Lands-office. These men—Wilmot, Byron Moore, and A. E. Moore—had never ceased to persecute McLean. After the present Minister of Lands took office, McLean asked leave to retire at the end of the year 1881 if his health did not improve, as he was then in bad health. He was allowed a short period for relaxation, to ascertain whether his health would improve. He went to Tasmania, and came back with his health absolutely restored, but he could never get employment again in the Lands department, because Byron Moore, who was deceiving the department, and working into the hands of his brother, was determined that he should be out of the department. (Mr. W. Madden—"That statement is absolutely incorrect.") He knew what he was speaking about. A condition was imposed on McLean which was never before placed on any civil servant
since the foundation of the colony, as far as
he (Mr. Longmore) was aware. He was
required to insure his life. The Minister
would not employ him although his health
was restored, but required him to insure his
life before he would deal with his application
for re-employment. The Minister no doubt
thought that the man could not get his
life insured, but McLean passed two doctors
—Dr. Fitzgerald, of Shepparton, and Dr.
Shields—as a first-class life. In the first
instance, his proposal for insurance was not
accepted, but he renewed it a considerable
time after. Singular to say, without McLean
being aware of it, Byron Moore was one of
the directors of the company in which he
proposed to insure his life; and when the
man went the second time it so happened
that Byron Moore was in Sydney—he was not
present to have any influence on his brother
directors—and the office took the risk at once.
The Minister of Lands, however, did not rein­
state McLean, after putting him to all the
trouble and expense of getting his life insured.
There was no place in the department for this
man, who was for years an able and energetic
servant of the State. The Minister stated,
the other evening, that McLean informed
against a man who had taken up a rich
selection, and had since succeeded in getting
the land himself. If that had been the
case, McLean would have been guilty of a
cowardly and unworthy act; but the fact was
that the selection, which was miserably poor,
land, was voluntarily abandoned by the
original occupier, and it was only taken up
by McLean because it was near some land
belonging to his son. McLean's application
was granted by the local land board, but he
had now either given up the land, or intended
to abandon it. McLean was praised by the
Lands Commission, and by various boards,
for the manner in which he performed his
duties, and he was an officer who deserved
promotion, but, because of his energy, his
industry, and his honesty, he was turned out
of the department, and left in the cold.
He was not wanted in the department; he
told the truth too plainly. McLean's case
was part of a system. He (Mr. Longmore)
might go on and describe to honorable mem­
bers how

Mr. Longmore.
The CHAIRMAN.—Not only is it unbecoming to reflect upon members of the Assembly, but it is out of order for an honorable member to reflect on members of the other House.

Mr. KERFERD said he had known Mr. MacBain for a number of years, and he had no hesitation in asserting that there was not a more honorable man in the country. It was a mean and cowardly thing to attack a member of the Government behind his back.

Mr. LONGMORE said he did not reflect on Mr. MacBain. What he said was that McLean had reported on the land dealings of a member of the Government.

Sir B. O'LOGHLEN observed that he understood the honorable member to say that McLean had reported upon the land transactions of a member of the Government, and that that was one of the reasons why the Minister of Lands did not reinstate him.

Mr. LONGMORE stated that what he said was that McLean was persecuted by a power behind the throne, and he repeated that statement now. (Mr. W. Madden—"It is not true.") He did not charge the Minister of Lands. (Sir B. O'Loghlen—"The statement is not true as far as Mr. MacBain is concerned.") He could not understand how it was that McLean, who was one of the oldest and most efficient bailiffs in the Lands department, had been hounded from pillar to post except for the reasons to which he (Mr. Longmore) had already alluded. He would now mention another case, which the Minister of Lands would do well to inquire into. There was a bailiff named Black, who took part in the destruction of rabbits. When he (Mr. Longmore) was Minister of Lands, he had some reasons—peculiar reasons, which perhaps could not be exactly expressed—for doubts with reference to that gentleman. He made inquiries, and found that Black had nothing to do except to put his signature to a lot of papers, and he abolished the office which the man then filled. Black got his compensation. A lad at £60 a year could do all the work that he was doing at the time that he was dispensed with. When he (Mr. Longmore) was at East Charlton, Mr. Dudley, a lands bailiff, said to him—"Mr. Longmore, no man receives any praise for doing his duty in your department." On asking what he meant, the man said that Mr. McLellan and family had selected land to the extent of nearly 2,000 acres, and he (Mr. Dudley) had reported that they should not be allowed to purchase those selections because McLellan was in treaty with Fanning, Nankivell, and Co., for the sale of the land. He (Mr. Longmore) asked to whom the report was made, and Dudley replied—"To Mr. Black." Dudley afterwards sent him a copy of the letter which he wrote to Black, and, when he received it, he inquired whether Black had accepted his compensation, and found that he had done so, and was gone. He was consequently out of the power of the Minister at that time. The officers of the department knew of that charge against Black, and he ought to have been compelled to answer it before being employed in any capacity of trust again. There were nearly 2,000 acres of the land altogether, consisting of six or seven selections, and it passed into the hands of Fanning, Nankivell, and Co., who were allowed to purchase it without one word of objection from any officer of the department. The letter to which he (Mr. Longmore) referred was in the hands of Mr. Morrah, the secretary of the department, who ought to have shown it to the Minister before Mr. Black was allowed to take any position of trust again. (Mr. W. Madden—"He was not re-appointed by me, but by Mr. Richardson.") The honorable member for Creswick (Mr. Richardson) gave him some small job, but the present Minister gave him charge of the whole work for the destruction of rabbits, with a salary of perhaps £300 or £400 a year. (Mr. W. Madden—"There is no better man for the work in Australia.") That might be so, but what he (Mr. Longmore) complained of was the system which drove out men who were true to the people, and took in men who had "sold" the people. There was a distinct charge against Mr. Black, and until it was inquired into he should not be employed in any public department. Mr. Morrah could show the Minister of Lands Mr. Dudley's letter, and the honorable gentleman, if he inquired into the matter, would find that nearly 2,000 acres of land went into the hands of Messrs. Fanning, Nankivell, and Co., and it must have gone with the connivance of Mr. Black. (Mr. Mirams—"No wonder the selectors disappear.") It was no wonder that the selectors were not to be found on the land when the men who spent their lives in rooting out dummies were hounded out of the department, and hounded out of existence almost—were not only persecuted, but left penniless—whilst the men who encouraged dummyism were lifted into high places in the department. These were the things he complained of. The country was not getting fair play from the present Government.
with reference to the administration of the land law. He was sorry to have to say that he was afraid the administration of the lands was not safe in their hands.

Mr. W. MADDEN said he did not think there was much to answer in the remarks of the honorable member for Ripon. The honorable member had complained of the abolition of the land regulations which he introduced, but no public act ever done in the colony of Victoria had given greater satisfaction to the farmers and selectors than the abolition of those regulations. (Mr. McColl—"Not to the selectors of Mandurang.") The Land Act of 1869 provided a probationary period of three years, after which a selector was to obtain his lease and become his own master. The honorable member for Ripon, without authority of law, introduced certain regulations to place the selectors under restraint after they got their leases. The Supreme Court decided that those regulations were ultra vires. (Mr. Longmore—"No.") Yes, there was a decision of the full court that the regulations were ultra vires. Moreover, they were exceedingly oppressive. He (Mr. Madden) knew that they were very oppressive from cases which occurred in his own district. In consequence of the difficulty of getting any matter connected with leases through the Lands-office, owing to the regulations, lessors could not borrow money except at from 10 to 20 per cent. interest. (Mr. Longmore—"The rate of interest on freeholds was 8 or 10 per cent. at that time.") The interest charged for loans to selectors was considerably increased by the honorable member's regulations. (Mr. Longmore—"Nothing of the sort.") He (Mr. Madden) knew that the regulations were very oppressive, and, therefore, when he became Minister of Lands, he took the earliest opportunity in his power to sweep them away, and that act, he was certain, met with the approval of the selectors throughout the length and breadth of the country. Instead of oppressing the selectors, the present Government did everything they could to encourage and assist them. There was no class of the community who worked harder than the selectors, or who lived plainer and got less for their labour, and it was the duty of the Government and the Legislature to do everything they could to encourage and assist them. The honorable member for Ripon had said that, during the time he (Mr. Longmore) was Minister of Lands, the Lands-office was besieged by land agents. The reason was very easily explained. Owing to the regulations which the honorable member framed, it was impossible for selectors to understand what they had to do to get their applications put through the department, and consequently they had to employ agents to act for them. (Mr. Longmore—"That is not the fact.") The honorable member stated so himself. (Mr. Longmore—"I drove all the agents out, but you have let them come in again.") The honorable member had referred to Mr. Byron Moore. As far as he (Mr. Madden) knew, Mr. Byron Moore was a very respectable and worthy gentleman. He was himself an officer under Mr. Moore for many years, and always considered him an excellent man. He did not think he had seen Mr. Moore in the Lands department more than once for three months, or that he had seen him more than ten times during the whole period he had been Minister. Mr. Moore might occasionally go to the inquiry room to make inquiries, as he was fully entitled to do. He (Mr. Madden) was not aware that any member of the public could or should be excluded from the inquiry room. Mr. Byron Moore had not, however, appeared before him in his own office more than six times since he had been Minister of Lands. To say, therefore, that Mr. Moore had "the run of the office," and was continually there, was quite incorrect. As to Mr. McLean, he (Mr. Madden) was certainly astonished at the remarks of the honorable member for Ripon, because the matter of Mr. McLean's retirement, so far as he (Mr. Madden) had anything to do with it, originated with the honorable member for Ripon himself. The honorable member came to him one day at the Lands-office, and said that Mr. McLean was in a very bad state of health and asked to be allowed to retire. In fact, the honorable member stated that Mr. McLean was so ill that he was not likely to live many days. (Mr. Longmore—"No.") That was the honorable member's statement exactly. At first he (Mr. Madden) demurred to Mr. McLean being allowed to retire, because he was not aware that the officer was so seriously ill as was represented, but on making inquiries and finding that Mr. McLean was very ill he consented to his retirement, having satisfied himself that the man was really broken down and would never again be fit for the duty he had been hitherto performing. Mr. McLean was then allowed to retire practically on his own terms. He was permitted to choose the date on which he was to retire, and when he retired he was given full
compensation. In addition to that he received six months' leave of absence on full pay, and was also allowed to take up the selection to which he (Mr. Madden) had previously referred. The selection had been forfeited on Mr. McLean's report, he having been sent to inspect it. Surely, then, it could not be said that Mr. McLean did not receive liberal treatment. The question at present was this—Was a public servant who had been treated in this liberal manner to be allowed to go away from the office for three or four months, and then to be able to return to the service when he pleased? (Mr. Mirams—"Is it true that you offered to take him back if he insured his life?") No, there was some conversation with reference to his insuring his life, but that was when he asked permission to select. The matter originated by his sending in a letter asking to be allowed to select, in which letter he stated that his health was broken down; that he had tried to insure his life, but that the companies had refused to take it with any loading; and that consequently the only thing he could do was to take up a selection and endeavour to live by it. (Mr. Williams—"Did he get the selection?") Yes, and he had it now unless he had given it up within the last few days. The fact that his life was reported by the doctors who examined him to be valueless was one of the facts which weighed with him (Mr. Madden) in allowing him to retire. Before he permitted Mr. McLean to retire, he satisfied himself that the man was unfit for duty, and that he could never again undertake the same duty that he had been performing. Under such circumstances, he considered that he would be acting wrongly as Minister of Lands if he were to appoint a man who would really be a burthen to the State. With reference to the statements made about Mr. MacBain he (Mr. Madden) did not think it necessary to say anything. He was sure that no man stood higher in the opinion of his fellow colonists than Mr. MacBain, and he was certain that that gentleman had never had anything to do with any shady land transaction or any shady transaction whatever. Regarding the appointment of Mr. Black, he had only to state that that officer was appointed by his (Mr. Madden's) predecessor. Mr. Black was dismissed on what was known as Black Wednesday by the honorable member for Ripon, and was re-appointed by the honorable member for Creswick (Mr. Richardson). He (Mr. Madden) had always found Mr. Black to be an excellent officer. (Mr. Longmore—

"Did you ask for the letter?") As to that matter, it had been in the power of the honorable member for Ripon during all these years to bring it before the House, and if there was any one to blame for not bringing it prominently forward in order to have it thoroughly investigated it was the honorable member himself. It was too late to rake up such a matter now for the purpose of injuring him (Mr. Madden) who had nothing to do with the appointment of Mr. Black. (Mr. Richardson—"Do you say that I appointed Mr. Black to his present position?") He was about to say that, knowing Mr. Black's energy and ability, he came to the conclusion that he (Mr. Madden) could have no better man for his purposes to superintend the destruction of rabbits, and the result showed that no man could have done the work better. (Mr. Bosisto—"Hear, hear.") The honorable member for Richmond (Mr. Bosisto), who had frequently been in the rabbit country, could speak as to the marvellous work which had been done. The honorable member for Ripon had tried to justify the regulations he issued, but the colony had said over and over again that they were a mistake and that their abolition was required for the good of the country.

Major SMITH observed that he wished to take this opportunity of referring to another matter—namely, the manner in which a number of men at Queenscliff had been treated by the Minister of Lands. A number of his (Major Smith's) constituents, in accordance with the regulations under which all the gold-fields had been settled, took up residence areas on some sandy waste land at Queenscliff. In applying for the land the men were acting strictly within their legal rights, and their names were accepted by the registrar and duly entered, yet, nevertheless, they had been deliberately dispossessed by the Minister of Lands without even an opportunity of being heard on their own behalf. Under the 14th section of the Mining Statute, the Minister of Mines had power to exempt land from occupation under miners' rights or as residence areas, and he (Major Smith) when in office had frequently taken this course, but no such exemption was made in the present instance, and, the land being within a mining district, the men were acting strictly legally in taking it up as they did. He had received a letter from one of the men—an old miner, and a resident of Ballarat for 30 years—in which the action of the Minister of Lands was referred to as a great wrong, as
the land had been advertised for sale without any valuation being allowed for improvements. Land had been taken up in a similar way at Ballarat, Creswick, Stawell, and other places. (Mr. Burrowes—"Men might as well be allowed to take up residence areas in Melbourne.") If the Minister had exempted the land from occupation under miners' rights or as residence areas, there could have been no complaint; but so far was this land from being exempted that the mining registrar registered these men and they had now their registered title. He (Major Smith) did not wish to go into anything but the strictly legal aspect of the question, and he contended that the men acted strictly within their legal rights. The privilege they had exercised had been most beneficial in settling thousands of miners in the colony. (Sir B. O'Loghlen—"In proper places.") This place was within a mining district, and land had been taken up in a similar way in all the great mining centres. (Sir B. O'Loghlen—"Where are these men going to mine?") That was no answer to the statement that the men had acted within their legal rights, and they ought not to have been dispossessed without some sort of inquiry into the matter. Residence areas had been taken up as far away from a known gold-field as this place was. He had asked the Minister of Lands to delay the sale of the land, which was advertised to be sold on the 27th inst., but the honorable gentleman had positively refused to do so. All he asked was that the Minister would stay his hand until there was a full and fair inquiry into the rights of these men.

Mr. FISHER remarked that, as the case of Mr. McLean had been again alluded to, he wished to say that he could speak personally as to the ability and scrupulous honesty of that gentleman. Honorable members would recollect that some time ago the House consented to a motion for an address to the Governor to the ability and scrupulous honesty of that gentleman. Honorable members would recollect that some time ago the House consented to a motion for an address to the Governor for an address to the Governor to have a sum of money placed on the Estimates in order to afford Mr. McLean a suitable gratuity for the good service he had done to the country. If he had not thought that Mr. McLean's was a most deserving case, he would not have brought such a motion before the House. He felt convinced that in Mr. McLean the country was losing a most efficient servant, and one who had done more to put down dummyism than any other man. He (Mr. Fisher) was able to say that Mr. McLean was at that moment in the possession of as good health as it was possible for any human being to enjoy. He had been thirty years in the Government service, and he (Mr. Fisher) could speak of his ability from personal knowledge, because on one occasion, when he held the briefs for the Crown in a number of dummying cases, Mr. McLean gave him the most valuable assistance. If the Government wished to put down dummyism, the services of such a man as Mr. McLean ought certainly to be retained. He regretted to hear the Minister's remarks with reference to the paltry piece of land which Mr. McLean was allowed to obtain, because the State ought to be glad to give a man who had saved it many thousands of pounds a very handsome piece of land for himself. (Mr. W. Madden—"What remarks did I make with reference to the land?") There was something in the tone of the honorable gentleman's observations which was not altogether pleasant. He (Mr. Fisher) was told that Mr. McLean would have to give up the land because two previous holders had already failed to make anything out of it owing to its unproductive character. Some harsh observations which could not be justified had also been made with regard to the administration of the Lands department. It had been said that the department ought to have hunted down the dummies for perjury and placed them on the roads. That, however, was not the function of the Lands department, but of the Law department, and it could be easily understood that the barrister who had acted for the Crown in dummying cases felt a delicacy in suggesting a course to the Law department which might be understood as a suggestion that he wished to have more work and more guineas. Besides, it might be considered that the men had been already punished by losing their land. He trusted that in future more stringent steps would be taken to put down dummying, and he believed that it would be very easy to draft a clause of a measure by which dummies would be severely punished. As far as his experience of the Lands department went, its officers were most capable men, who were anxious to do their duty well and efficiently.

Mr. CARTER expressed the opinion that the men who took up residence areas at Queenscliff were not justified in doing so on such valuable ground. The land had been advertised for sale at an upset price of £200 an acre, and in all probability it would fetch considerably more. It was certainly never intended that valuable land in a township where there was no probability or possibility of mining being prosecuted should be taken up by miners in such a manner.
These men had, in fact, "jumped" the land which they took up as a speculation for the purpose of making a profit out of it, and he trusted that the Minister of Lands would not allow the jumpers to get the land in order to make money at the expense of the country. Before the House adjourned for the holidays there was one point on which he would like to be informed—namely, whether the Government intended, when the House re-assembled, to proceed with the Land Bill, or whether they meant to bring in a measure to do justice to the settlers in the mallee country? He believed, if a Bill for the latter purpose was introduced, it would be passed by the House almost unanimously. He thought honorable members on both sides were quite satisfied that the persons who were settled in the mallee were suffering from the greatest hardship. He had heard of cases in which men had lost 80 per cent. of their sheep by the ravages of wild dogs, which were worse than the rabbits, and, unless the people got some security of tenure which would justify them expending money in destroying the dogs, it would be quite impossible for them to get any benefit out of the land. If the matter was postponed for another year a great injustice would be done to the squatters in that particular district, and he did not think the House wished to do that. Honorable members on both sides had expressed their approval of the passing of a measure which would enable these people to get some such terms as were conceded to the mallee settlers in South Australia. The people on both sides of the border could then work together to make the mallee country really useful and available for settlement. With regard to the case of Mr. McLean, he quite agreed with the action of the Minister of Lands up to a certain point. On the 1st November, 1881, the man applied for leave to retire on account of ill-health, and a few weeks after he retired, finding that his health was not so bad as he had thought, he asked permission to withdraw his resignation, but he was told that he must leave the service. Up to that point everything was done properly by the Minister, and Mr. McLean was treated very liberally. Subsequently, however, it appeared that the Minister, probably prompted by his good nature, said something which induced Mr. McLean and his friends to go to a considerable amount of expense which they would not otherwise have incurred. In that matter the House was bound to see that Mr. McLean was dealt with justly. The Minister seemed to have stated to the honorable member for Moira (Mr. Hall) and others that if Mr. McLean showed he was in good health he could resume duty. (Mr. W. Madden—"I never said so.") At all events, that was the statement which had been put forth. Mr. McLean was no friend of his, and he knew nothing about the man except what he had heard. A fact which led honorable members to suppose that this impression was conveyed was that on the 26th January, 1882, a certificate was sent in by Dr. Günst, stating that Mr. McLean was now able to return to his duty, and a similar certificate was received from Dr. Fitzgerald. These appeared not to have been sufficient for the department, because it was next found that in March, Mr. McLean was examined by Dr. Shields and Dr. McCrea, Government medical officers. (Mr. W. Madden—"He went to them to get their opinion.") In order to show that he was in good health. (Mr. W. Madden—"Ho was not sent by me.") The Minister, however, had admitted that there was a conversation about McLean insuring his life, and the logical inference was that McLean went and got his life insured in consequence of what the honorable gentleman said. Whether the Minister intended to convey that impression was another matter; at all events, in consequence of what the honorable gentleman said, McLean insured his life for £500. This involved the payment of a large premium, and therefore, under the circumstances, he (Mr. Carter) thought the State was entitled to consider Mr. McLean's claims, and to see that he was liberally dealt with in consequence of what was said by the Minister of Lands, even although the honorable gentleman might not have meant to convey as much as Mr. McLean supposed.

Mr. HALL said he wished to reply to some of the statements the Minister of Lands had made that evening, and also on a previous occasion, with respect to Mr. McLean, because it was very probable the honorable gentleman would not, upon the whole, be sorry to hear that they were not quite correct. In the first place, he said that Mr. McLean could not get his life assured, but it was on record that he had obtained medical certificates to the effect that his life was deemed to be a first-class one, and a certificate from the assurance office on the same subject had already been exhibited in the Chamber. Next, it was stated that when he retired from the public service he got full compensation for loss of office; but the fact was that, when his compensation was computed, the seven or eight years he had served in a branch of the
a declaration, made by Mr. McLean on December 5th:-

I, James McLean, of Shepparton, do solemnly and truly declare, that the land selected by Mr. McLean in the parish of Mundaun, is a valuable allotment; I, as a former holder of that allotment, do not think it is by any means of exceptional value, but, on the contrary, is in my opinion (if I may be allowed as a practical farmer of 30 years to judge) very ordinary grazing land only.

John Young.

Tallygaroopna, 6th December.

Another statement of the Minister of Lands was to the following effect:—

"Seeing that the man was anxious to have some occupation, I interested myself with the Minister of Customs, with the view of getting him some light employment in the Customs department. I understand that the Minister of Customs offered him a temporary appointment, but that Mr. McLean declined to take it."

In reply to that and other allegations, he begged to read the following statutory declaration, made by Mr. McLean on December 6th:—

"I, James McLean, of Shepparton, in the colony of Victoria, Crown lands bailiff, do solemnly and sincerely declare, that I had nothing whatever to do with causing the selection of land in the parish of Mundaun, referred to by Mr. Mr. Hall, and Madden in the Legislative Assembly on the evening of last Thursday, the 20th ult., to be forfeited to my applying for it. 2. That the said selection was voluntarily abandoned, chiefly owing to its inferior character, by two separate holders in succession—namely, a Mr. John Young and a Mr. Robert McKinney, who held it for about two years and one year respectively; and I also, for similar reasons, in a temporary appointment, and not over the heads of other applicants on the grounds of my services to the State, as alleged by Mr. Madden, and the said selection was recommended to me solely on the merits of my claim, tested in the ordinary way as an ordinary applicant, after a careful examination of other applicants by an impartial board, and not over the heads of other applicants on the grounds of any kind in the Customs department was not offered to and refused by me as alleged."

All that McLean wanted was a select committee to inquire into his case, and he was prepared to abide by its decision.

The motion for reporting progress was put and negatived.

The amendment was then agreed to, and some consequential amendments were made in the same clause.

The Bill, having been gone through, was reported with amendments.

The amendments were adopted, and the Bill was read a third time and passed.

COURT OF GENERAL SESSIONS.

The message received from the Legislative Council on the 7th November, requesting the concurrence of the Assembly in an address to His Excellency the Governor, agreed to by the Council on the 1st November, praying that the Court of General Sessions for the central bailiwick might be held at Alexandra, was taken into consideration.

Sir B. O'LOGHLEN moved that the Assembly concur with the Council in the address. He said the adoption of the proposed arrangement would result in great public convenience and no additional expense, inasmuch as the judge who would preside at the Court of General Sessions at Alexandra had already to attend at the usual intervals for the purpose of holding a County Court.

The motion was agreed to.

PUBLIC INSTRUCTION.

The resolution authorizing an expenditure of £25,000 under the Act No. 787 on the erection of State school buildings (passed in committee the previous day) was taken into consideration.

Mr. GRANT laid on the table a list of the schools on which it was proposed to spend the £25,000. He said the schools mentioned were those the erection of which was considered to be the most urgent.
Mr. BERRY said he was satisfied by the production of the list, although, as he expected, it did not include a school for his district. He simply called attention the previous evening to its absence, because the Government were apparently trying to get the money voted without affording the information with respect to its intended expenditure to which honorable members were entitled.

Mr. ZOX complained that the list of new schools did not include one for East Melbourne. He hoped that the next list of the kind submitted to the House would supply the omission.

Mr. MACGREGOR thought it hard that nothing was to be done at present towards the erection of a school in Emerald Hill south, because the want of school accommodation there was greatly felt.

The resolution was adopted.

VINE DISEASE ACT AMENDMENT BILL.

Sir B. O'LOGHLEN moved the second reading of this Bill. He said—Mr. Speaker, this Bill is brought forward at the present juncture because the case with which it deals is so urgent that it will be scarcely wise of the House to adjourn for the Christmas recess without previously carrying the measure into law. The Minister of Agriculture will explain the provisions embodied in it.

Mr. C. YOUNG.—Sir, the Bill is a very short one, and I believe it will be very readily accepted. I may mention that Mr. Hardy, the delegate of the Government of South Australia, who pay one-third of the total cost of exterminating phylloxera from Victoria, has expressed the opinion that the adoption of the measure by us will be a very wise proceeding. For myself I am satisfied that some of its provisions are calculated to be of very great assistance in ridding the colony of the scourge with which it may be said to be still threatened. Clause 1 of the Bill simply sets forth its title. Clause 2 is the interpretation clause. Clause 3 provides that where the roots of any vines destroyed under the Vine Disease Act of 1880 or 1881 have subsequently put forth shoots or suckers on any land, the occupier thereof must give notice of the fact to an inspector or assistant-inspector of vineyards. Clause 4 subjects the occupier to a fine of £10 if he neglects to give such notice. Clause 5 renders the occupier of land in the “Geelong vine disease district” on which any vine is growing or planted which was growing or planted during the month of January, 1882, who does not give proper notice of the fact, to a fine of £50. The 6th and 7th clauses, the last in the Bill, are as follows:—

"Where any vines have been rooted up from any land within the Geelong vine disease district, and destroyed under the provisions of the Phylloxera Vine Disease Act 1880, or the Geelong Vine Disease Act 1881, no plant now or hereafter growing or planted in such land shall, after the passing of this Act, be removed therefrom for the purpose of being planted elsewhere or shall be planted elsewhere before the 1st day of January, 1887; and the occupier of such land or other person removing, or causing to be removed, planting, or causing to be planted, any plant in contravention of the provisions of this section shall, on conviction thereof, be liable to a penalty not exceeding £50, and all such plants so planted shall be forfeited and destroyed.

"No plant shall be removed out of the Geelong vine disease district until the Governor in Council makes an order to the effect that danger of communication of the phylloxera disease thereby is no longer in his opinion to be apprehended; and any person removing, or causing to be removed, any plant in contravention of the provisions of this section shall, on conviction thereof, be liable to a penalty not exceeding £50, and all plants so removed shall be forfeited and destroyed."

These clauses are doubtless somewhat stringent, but they are considered necessary in order to prevent the removal of soil from the “Geelong vine disease district,” and consequently the possibility of any phylloxera eggs being transferred with it. Inasmuch as the persons in the said district whom the operation of the Bill will concern are so anxious as any one can be to assist in stamping out in the colony the vine disease that has caused such enormous losses in Europe, the Government consider that, if this measure is carried into law without delay, there will be a fair prospect of the end it has in view being entirely accomplished. Unquestionably our former legislation on the same subject has proved a great success, and it would be a thousand pities if the business is not thoroughly completed. One important thing is that the Bill does not provide any compensation for any one. In fact no such compensation is required, because there are only two or three persons in the “Geelong vine disease district” who grow nursery stock on phylloxera land, and they do so almost entirely for their own use.

Mr. BERRY.—Mr. Speaker, I quite concur that everything that human foresight can suggest for the permanent stamping out of the phylloxera disease ought to be done, but at the same time there are points in connexion with the Bill that deserve more than a passing notice. In the first place, the Government have been very relax in not pressing it forward before. The insect has now taken wing.

Mr. C. YOUNG.—It will not do so until February.
Mr. BERRY.—It has done so before this time, and the Bill will therefore be perfectly useless during the present season. Then, honorable members ought to have a report before them showing whether phylloxera has re-appeared in any way.

Mr. C. YOUNG.—It has not. Mr. Hardy is reported to have said that he found traces of phylloxera in the Geelong district, but the statement was a misreport. All that he actually found to suggest phylloxera was shoots from vines that it was supposed had been destroyed. That circumstance is regarded as rather a good sign that the disease has passed away.

Mr. BERRY.—I think the country may fairly congratulate itself upon what it has done for the eradication of this curse, but that every possible precautionary measure has been taken I am not at all prepared to say. It is to be observed that we are asked to pass the Bill as one of urgent necessity, yet copies of it have only just been distributed. I wish to draw attention to the following portion of clause 2, which is the interpretation clause:

""Plant" shall mean and include every fruit and forest tree, shrub, and flowering plant."

And I find that clause 7 imposes a penalty of £50 upon any one who removes a "plant" from the "Geelong vine disease district." But is there anything before the House to satisfy us that phylloxera can be carried about with a "plant"? If the fact that it can be so carried about is not at all clear, may we not ask whether the "Geelong vine disease district" has not already suffered enough? My own opinion is that, until the scientists have declared that phylloxera may be spread by the means indicated in the Bill, the process of extermination which has hitherto been cheerfully assented to by those concerned ought not to be rendered absolutely vexatious. Perhaps the honorable member for Richmond (Mr. Bosisto) will give us his experience on the subject.

Mr. BOSISTO.—Sir, I beg to express the opinion that the Bill is by no means sufficient for the purpose it is intended to carry out. That is the conclusion of not only myself, but also of several other members of the Microscopical Society who have inquired into the subject. The other day we visited ground at Fyansford which was formerly infected with phylloxera, but from which it was supposed all the vines had been uprooted, and which had for the last three years been sown with root and bulb crops, such as carrots and onions. And what did we find? A foot or two below the ground we discovered old vine roots covered by a mass of phylloxera insects in various mature and immature forms. It is obvious, therefore, that provisions such as those which the House is now asked to adopt will not remove the danger our examinations revealed. In my opinion, the Bill ought to provide not only for the removal of vine shoots, but for the trenching of all infected ground to a depth of two or three feet, in order that every root and rootlet may be extirpated. Unless the measure aims at a comprehensive process of that kind, it will be futile. We examined the roots of onions, carrots, parsnips, and other esculent under the microscope, and found not the slightest trace of insect life. My own opinion is that so long as the vine rootlets remain in the ground, and yield the food necessary to maintain the insects, although the phylloxera may be there, the insects do not rise to the surface if there are no shoots; they keep as it were in a hybrid condition until the shoots are above the surface, when the fly ascends and fixes itself on the leaf. It is stated by writers that the fly never attacks any other description of vegetation; but I wish to point out that there is danger in allowing the dead roots to remain in the soil, even if no shoots come to the surface. My opinion is that, in order to eradicate the phylloxera thoroughly, the soil should be trenchcd a depth necessary to take out the roots and rootlets. Unless that is done, the disease may linger for years, and break out again by-and-by. My reason for saying this is that, on examining the rootlets of vines, I found them to contain a resinous substance, which the insects seem to live upon. So long as that exists the insects have a kind of immature life, but the moment the root becomes decayed, they die also.

Mr. LONGMORE.—Sir, I submit that at this period of the session the Bill might well be allowed to drop, and I think I shall be able to furnish a reason why. The honorable member for Geelong (Mr. Berry) states that vignerons cheerfully submitted to the destruction of their vineyards. I grant they did; but it should be recollected that the country cheerfully submitted to pay them far more than their vineyards were worth, because with the phylloxera at the roots of the vines it was impossible for them to obtain either fruit or wine. I must complain that we have not been supplied with any return to show what the eradication of the disease has cost.

Mr. C. YOUNG.—It has cost £30,000.
Mr. LONGMORE.—Why the vineyards were not worth one-fourth the money. No wonder that the vignerons "cheerfully submitted to the destruction of their vineyards." I would like to know where the farmers of the colony are to get £30,000 from in the event of the produce of their labour being destroyed by any insect life? I consider that a great deal too much public money has already been expended upon vineyards. I can point to letters from gentlemen who understood vine planting, which appeared in the public newspapers twenty years ago, warning vine-growers that the greed which they manifested in connexion with their pursuit would only end in the destruction of their vineyards. The ground has become impoverished; it has been deprived of the substance necessary to support the vine; and, as a natural consequence, that ground produces vermin. The present disease in vines has been brought about by the planting of vines too close together, from the greedy desire to get too much out of the ground. I will not consent to the passage of a Bill of this sort to enable the Minister of Agriculture to send twenty, or perhaps forty, labourers to vineyards the owners of which have been paid double or treble what they ought to receive for the destruction of vines. It is perfectly unreasonable for the Ministry to submit such a proposition at this late period of the session.

Mr. C. YOUNG.—It will involve no further expenditure.

Mr. LONGMORE.—So long as the Minister of Agriculture has money to throw into the lap of the vineyard proprietors, so long will they accept it. But why should a lot of men be employed to go and dig holes for people whose vines have been paid for twice or thrice over? As soon as the phylloxera has eaten all the substance left upon the dead roots, which will be very shortly, the vineyards can be allowed to be used for any purpose whatever. The Minister of Agriculture states that as soon as the roots dry up—as soon as they cease to take from the earth the substance on which the phylloxera lives—the phylloxera dies. Vignerons ought, for their own safety, to cut down the shoots, and eradicate the roots and burn them.

Sir B. O’LOGHLEN.—They won’t do it.

Mr. LONGMORE.—Then they ought to be liable to a penalty. I could understand provision being made that vines should not be grown for seven years on land where vines have been destroyed and paid for by the State.

Mr. WALSH.—That is provided for already.

Mr. LONGMORE.—Yes, but I think the time named in the original Act—four years—is not sufficient. The period ought to be eight years, and during that time the land should be utilized by growing onions and other esculent roots, and cereals. I would suggest to the Minister of Agriculture that he should consult with the honorable member for Richmond (Mr. Bosisto), and one or two other experts, with the view to such an amendment of the Bill as will make the eradication complete; but I object to the State, after having to pay handsomely for the destruction of vineyards, being called upon to submit to further expense because vignerons are so careless as to allow shoots to come again. The aphis is a scourge which destroys everything, but this House is never asked by the orchard proprietor to apply a remedy; on the contrary, he acts for himself, and, if the aphis kills a tree, the tree is rooted up and burnt. I protest against this House legislating to enable vignerons to get out of bad speculations in a very profitable way.

Mr. WALSH.—Honorable members are, no doubt, aware that two separate Acts have been passed by Parliament dealing with the question of the phylloxera. The first Act, passed in 1878, provided that vineyards where the disease existed should be destroyed, no compensation being given to the owner. The last Act, which was passed in December, 1881, provided that, in the case of vineyards destroyed because they were affected by phylloxera, compensation equal to one year’s profits should be given to the owner; and that, in the case of vineyards which were not affected, but which were destroyed because they were within a radius of some three miles, compensation equal to three years’ profits should be awarded. The honorable member for Ripon contends that these unfortunate vignerons have been amply paid out of the public funds—that it is a most fortunate thing for them that they have received compensation at the hands of the State for the loss of their vineyards. The subject has been inquired into by a select committee of this House, and the inquiry shows that, although the vignerons may have received the compensation provided by law, they have not been amply compensated. Instead of the destruction of the vineyards having been a fortunate thing for the vignerons, it has been a question of almost ruin
to many of them. Legislation on the question is urgent, because the phyloxera fly—the female insect—rises generally about the end of this month, or during January. It appears that, in the case of vineyards destroyed, a number of rootlets having been left in the ground, those rootlets are throwing up shoots, and it is in the shoots from those diseased rootlets that the danger exists. I understand it is the object of this Bill to deal with that difficulty.

Mr. MUNRO.—Cannot it be dealt with under the existing law?

Mr. WALSH.—I think it may. In the course of the committee's investigations the extraordinary fact has been elicited that, in gardens and elsewhere, right in the heart of Geelong, there are now growing, and have been growing for years, vines which, under the Acts already in existence, ought to have been destroyed. I asked the witnesses who imparted this information whether the existence of those vines was not a source of danger, and I was informed that it was. I don't see why that evil should not be grappled with under the Act passed last December, because the inspectors have power to enter gardens and other places and uproot and destroy vines; and I do not see why inspectors should not visit the vineyards which were destroyed last year, and ascertain whether there are any shoots growing, and, if so, direct them to be exterminated. I must mention that, in some respects, this Bill is very sweeping. The 6th and 7th clauses forbid the removal of any "plant" from the Geelong district, and, according to the interpretation clause, "plant" means "every fruit and forest tree, shrub, and flowering plant." So that it will be illegal to remove a geranium from Geelong to Melbourne. But, according to the honorable member for Richmond (Mr. Bosisto) and other experts, the phyloxera does not affect any other plant than the vine. Then what necessity is there for forbidding the removal from the Geelong district of any "flowering plant"? "Shrubs and flowering plants" are not usually planted in vineyards, and, therefore, I fail to understand the utility of legislating against the removal of such products. I think that, under the provisions of the Act passed last year, there is ample power for the Minister to grapple with the difficulty of the shoots. Moreover, from the opposition which has been offered to this Bill, I don't think it at all probable that it can be passed into law to-night.

Mr. PEARSON.—Sir, I have looked over the existing Acts, and it appears to me that the only addition which the Bill makes to the present law is in the definition of the word "plant." In view of the statement of the honorable member for Richmond (Mr. Bosisto) that wherever an old root remains in the ground the presumption is that it is diseased, I consider the powers given by the existing Act quite sufficient. For example, section 15 of the Act No. 684 provides that—

"The owner, tenant, lessee, or person in charge of any vineyard shall, immediately on the first appearance therein of any disease, notify the fact of such appearance to any inspector or assistant-inspector or to the Minister; and in the event of his failing so to do all claim to any compensation under the provisions of this Act shall be forfeited in respect of such vineyard by such owner, tenant, lessee, or person, and he shall, on conviction thereof, pay a penalty not exceeding £100 or be imprisoned for any term not exceeding six months."

That provision is sufficient to enable the Government to grapple with the disease, in the event of its re-appearance, which some persons think possible, in the Geelong district. It appears to me that what is wanted is not new legislation, but strong administrative action—an action which would take the direction suggested by the honorable member for Richmond of trenching up the ground to a great depth in order to destroy the diseased roots.

Mr. MUNRO.—Mr. Speaker, I really think the Government have made a mistake in bringing forward this Bill. The 7th section of the Act of 1880 provides that—

"All vines which may be found planted or growing in any vineyard already reported as diseased, or in any vineyard which may hereafter be reported to be diseased, or which in a radius of three miles from any diseased vineyard shall (if the Minister so direct) be completely rooted up and destroyed by any inspector or assistant-inspector in such manner and by such methods as shall from time to time be directed by any regulations made by the Governor in Council."

If the vines were completely rooted up and destroyed, there would be nothing left for the disease to rest upon. The Act of 1881 re-enacted what was enacted before without making any provision for taking up the dead rootlets of which the honorable member for Richmond (Mr. Bosisto) has spoken; and the Bill seems to leave matters in exactly as bad a position. Clause 4 provides that—

"On proof that a root of any such vine has put forth shoots or suckers on any land as aforesaid and that the occupier thereof has not given notice or caused notice to be given as hereinbefore provided, such occupier shall be deemed to have committed an offence against this section, and shall be liable to a penalty of £10."

What does this mean? Why that you cannot touch a root unless it sends forth shoots above the ground.
Mr. C. YOUNG.—You can see the shoots.

Mr. MUNRO.—According to the honorable member for Richmond, the roots are just as bad before they send forth shoots as when they have sent them forth. The Acts of Parliament already in existence do not touch the evil, and this short Bill, we are now asked to pass hurrily, makes no provision at all for getting at the rootlets. If the Government have all the power they want under the existing law, what necessity is there for this Bill? If they have not the power, would it not be well to draft a Bill giving the Government power to take up all vine rootlets wherever found? It would appear that the existing law only wants to be properly administered to be effective. The present law provides that a vine which is diseased shall be destroyed, and a rootlet which sends forth shoots above ground is a growing vine within the meaning of the law. A more outrageous provision than the last clause of the Bill I never read. The only thing approaching it in absurdity and ridiculousness is the Railways Management Bill.

Mr. BURROWES.—That clause will protect the whole colony.

Mr. MUNRO.—If such a clause could be applied to any sort of business, commercial relations in all parts of the colony would be at once stopped. The clause is as follows:—

"No plant shall be removed out of the Geelong vine disease district until the Governor in Council makes an order to the effect that danger of communication of the phylloxera disease thereby is no longer in his opinion to be apprehended; and any person removing or causing to be removed any plant in contravention of the provisions of this section shall, on conviction thereof, be liable to a penalty not exceeding £50, and all plants so removed shall be forfeited and destroyed."

Mr. BURROWES.—That is to prevent the disease affecting the whole colony.

Mr. MUNRO.—But has not the honorable member for Richmond informed the House that the disease does not attack any other plant than the vine? And if that is so, why should the nurserymen of Geelong be prevented from sending their plants to different parts of the colony? The principle of the Bill is altogether so bad that I cannot vote for sending the measure into committee. It has been drafted without due consideration; it seeks to do that which cannot by any possibility be done; and it inflicts unnecessary injury upon people without securing any good at all. Moreover, it cannot be amended without an entire alteration—lock, stock, and barrel.

Ses. 1882.—9 x

Mr. ZOX.—I think that, after the expressions of opinion which have been given, the Ministry ought to withdraw the Bill. I object to honorable members being asked, in a high-handed way, to pass a measure which requires mature deliberation. Why there is not a clause which does not need close examination. As for the last clause (the 7th) I call it a monstrous provision.

Mr. BENT.—As there appears a disposition to postpone the further consideration of the Bill, I will move the adjournment of the debate.

Mr. BERRY.—I have no objection to the proposal for adjournment; but I am under the impression that something should be done. I think the Ministry should recognize the importance of acting on the suggestion of the honorable member for Richmond (Mr. Bosisto) that there should be a thorough examination of the vineyards in the Geelong district which have been destroyed, with the view of exterminating all vine roots. No doubt, it would be somewhat expensive proceeding, but no one who realizes the importance of the matter should begrudge the expense, because the operation is for the benefit of the whole country. Probably the imperfect destruction of the vines may be a source of danger which never would have existed if vineyards had not been destroyed at all. I have heard that where vineyards have been destroyed other crops have been sown, and that vine shoots have been carried away with hay into other districts of the colony, and thus the phylloxera may be disseminated.

Mr. BLACKETT.—Sir, I think we shall lose nothing by adjourning the debate. The Bill is so sweeping that I am satisfied it will be productive of mischief if it is passed in its present shape. I quite agree with the honorable member for Richmond (Mr. Bosisto) that there is no danger whatever of the immature insect being transmitted by the soil. It always attaches itself to roots and rootlets, and is not transmissible to other plants in the egg. In the next place, I may observe that vine shoots have now reached their full extent; they are not likely to develop to a higher degree. Therefore I think the Government, if they institute a strict, careful, and exact inquiry of the whole of the Geelong district, by able and honest inspectors, under proper supervision, will find that whatever insects there may be in the soil will not creep to the surface. In that case the winged insect will not be developed, or be able to find its way to other districts. Then again, inasmuch as the Geelong district
is remote from other vine districts, I do not think those districts need be under any apprehension of a visit from the *phylloxera*, because it does not wing its flight any great distance. Seeing that the existing law gives full powers of inspection to the Government, they will be able sufficiently to restrict the disease until the House resumes business, and then the question can be reconsidered, and dealt with in the light of the present discussion.

Mr. C. YOUNG.—Sir, as I intimated, when moving the second reading of the measure, the last few clauses of the Bill, which have been referred to as so sweeping, were introduced at the instance of the South Australian Government, who contribute one-third of the cost of extirpating the *phylloxera*. I don't think anything can be too sweeping that is calculated to confine the disease to the Geelong district with the view of having it stamped out there. It is quite true that the insect will live only on the root or leaf of the vine; at the same time, honorable members must be aware that the roots of vines extend very far, and in consequence it is possible for the insect to be carried away in the roots of apple and other trees which may be grown on infected ground. With regard to the suggestion of the honorable member for Ripon, I consider it much better, wherever a vine shoot is found, to follow down and take out the whole root than merely to cut away the shoot with a knife or hoe. I may add that I have taken every possible precaution to have the disease stamped out in the Geelong district.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until the next day of meeting.

The House adjourned at nine o'clock, until Tuesday, February 13, 1883.
In the opinion of Ministers it would promote the more speedy transaction of public business (the early despatch of which is every day becoming more urgent and imperative) to prorogue the existing Assembly with a view of its early dissolution.

Before proceeding to assign reasons for this advice, Ministers desire to inform His Excellency that sufficient Supply has been voted, to carry on the accruing payments to the public creditor until the end of February for salaries, and for other matter well into March; that the new rolls will be available early next month; that the present time is the most convenient period for an election, both to candidates and electors in the country districts, the harvest being completed; and that if dates be fixed as in margin for the various stages, Parliament may assemble at the beginning of March, pass the Appropriation Act for 1882-3, and after Easter proceed with the Estimates for 1883-4 in a new session.

The following reasons are submitted by Ministers to His Excellency in support of the advice tendered:

1st. That Ministers accepted office at His Excellency's invitation, in consequence of the inability of their predecessors to conduct the affairs of the country in Parliament.

2nd. That the present House of Assembly was summoned together by His Excellency on the advice of a previous Administration.

3rd. That in July next the existing Assembly would cease to exist by effluxion of time, and is therefore now practically at the close of its last session.

4th. That Ministers on accepting office submitted their political programme to their constituents, and that this programme was unusually well received in their electorates, and in the country generally.

5th. That Ministers submitted to Parliament measures framed in accordance with that programme, and that these measures in the main meet the general requirements of the people, but the efforts of Ministers to proceed with many of these measures, and get them passed into law, have been frustrated by the action of certain members, who will not allow Ministers to do the necessary work in the House, but keep constantly intervening with motions that are barren of any beneficial result.

6th. That Ministers have induced the House to attend most assiduously from 26th April to 21st December last, but by the action of certain members the efforts of Ministers and their supporters to transact the public business have been rendered inoperative, notwithstanding that the House has expressed its confidence in Ministers on six occasions during the present session, each time by large majorities.

7th. That the existing House is divided into numerous sections of parties, rather than into parties, with the result that a combination of small sections can delay and impede business under the colour of discussing some matter not in the order of business.

8th. That the acceptance or rejection, or the making of organic changes in the measures submitted to Parliament appears (as this session has progressed and this division into sections more and more developed itself) to increasingly depend on the fluctuating intentions of certain sections in place of on an expression of the will of the people as a whole being obtained through the votes of an united majority in the House, in accordance with the principles of constitutional government.

9th. That Ministers have conducted the affairs of the country for over eighteen months, and are anxious to obtain a speedy solution of the questions upon which they consider the material progress of the country depends.

10th. This feeling is largely coincided in by the public. In the House and elsewhere the Opposition has expressed a desire for a dissolution; some members have gone so far as to threaten not to allow any business in the way of legislation to be done until the country has been appealed to. In the numerous papers published in Victoria, the view of the necessity for an early dissolution has been advocated as the remedy for the delay in parliamentary work.

In conclusion, Ministers submit to His Excellency that the position of affairs in the House necessitates an appeal to the constituencies as the only and best solution of the existing difficulties, and therefore recommend His Excellency to adopt that course.

The Treasury, Melbourne,
26th January, 1883.

BRYAN O'LOGHLEN, Treasurer.
A.

MEMO. SHOWING NUMBER OF DAYS OCCUPIED IN DISCUSSING MOTIONS OF "WANT OF CONFIDENCE" DURING SESSION 1882.

1. Mr. Berry's amendment respecting the administration of public departments commenced on the 26th April, and was continued on the 27th April, and 2nd, 3rd, 4th, 10th, 11th, 16th May ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... 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The Governor to Sir Bryan O'Loghlen.

The Governor begs to acknowledge the receipt of the memorandum forwarded to him yesterday by Sir Bryan O'Loghlen, in which Ministers advise that an immediate dissolution of the present House of Assembly should take place.

After a careful consideration of the subject, and giving due weight to the various arguments used by Ministers in support of the advice thus tendered, it appears to the Governor that whether looked upon in a constitutional point of view, or as the readiest means of facilitating the transaction of urgent public business, the Government are entitled to the dissolution for which they ask, and he has therefore much pleasure in accepting their advice.

The Governor has not failed to observe the reluctance which has been evinced by the House to settle down to the ordinary business of the session. Parliament has now been sitting for eight months—a period exceeding by one-fourth the time usually occupied by the Imperial Parliament in transacting the whole of the vast and important business brought before it—and, as yet, but a very small portion of the real business which has been submitted to the Assembly has been dealt with.

While it is no part of the Governor's duty to analyze the motives or the reasons which have brought about this unfortunate result, it cannot fail to impress on his mind the fact that, judging by the past, the House, which is now in the last days of its existence, is little likely, should it meet again, to use that diligence in the transaction of business which the period of the year so urgently requires.

Parliament expires by the lapse of time in July next, and it is therefore evident that, even should the House meet again after the adjournment, the dissolution would have to take place immediately after the prorogation of the present session, and valuable time would thus be lost, by which the commencement of the session of 1883-4 would be considerably delayed; whereas by the course advised by the Government, the session of 1883-4 will probably begin directly after Easter.

Under these circumstances, the Governor feels that he would not be acting on the true principles of responsible government, were he to hesitate about accepting the advice of a Government who, having suffered no defeat in the Assembly, are still in the full exercise of their responsibility, when they inform him that in their opinion "the position of affairs in the House necessitates an appeal to the constituencies as the only and best solution of the existing difficulties."

Government House, Melbourne,
28th January, 1883.

Normanby.
PROROGATION OF PARLIAMENT.

The following Proclamation was issued on Tuesday, January 30, 1883:

PROCLAMATION

By His Excellency the Most Honorable George Augustus Constantine, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom; and Baron Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland; a Member of Her Majesty’s Most Honorable Privy Council; Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c., &c., &c.

WHEREAS by The Constitution Act it is amongst other things enacted that it shall be lawful for the Governor to fix such places within Victoria and, subject to the limitation therein contained, such times for holding the first and every other Session of the Council and Assembly, and to vary and alter the same respectively in such manner as he may think fit; and also from time to time to prorogue the said Council and Assembly, and to dissolve the said Assembly, by Proclamation or otherwise, whenever he shall deem it expedient: And whereas it is expedient to prorogue the said Council and Assembly called the Parliament of Victoria: Now therefore I, the Governor of Victoria, in exercise of the power conferred by the said Act, do by this my Proclamation prorogue the said Council and Assembly called the Parliament of Victoria until Thursday the fifteenth day of February next.

Given under my Hand and the Seal of the Colony, at Melbourne, this thirtieth day of January in the year of our Lord One thousand eight hundred and eighty-three, and in the forty-sixth year of Her Majesty’s reign.

(L.S.) NORMANBY.

By His Excellency’s Command,

J. M. GRANT.

GOD SAVE THE QUEEN!

DISSOLUTION OF PARLIAMENT.

The following Proclamation was issued on Saturday, February 3, 1883:

PROCLAMATION

By His Excellency the Most Honorable George Augustus Constantine, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom; and Baron Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland; a Member of Her Majesty’s Most Honorable Privy Council; Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c., &c., &c.

WHEREAS by The Constitution Act it was amongst other things enacted that it should be lawful for the Governor to fix such places within Victoria and, subject to the limitation therein contained, such times for holding the first and every other Session of the Council and Assembly, and to vary and alter the same respectively in such manner as he might think fit; and also from time to time to prorogue the said Council and Assembly, and to dissolve the said Assembly, by Proclamation or otherwise, whenever he shall deem it expedient: And whereas the said Council and Assembly, called the Parliament of Victoria, stand prorogued until Thursday the fifteenth day of February instant: And
whereas it is expedient to dissolve the Legislative Assembly. Now therefore I, the Governor of Victoria, in exercise of the power in me vested in this behalf, do by this my Proclamation discharge the Honorable the Members of the Legislative Council from their meeting and attendance on Thursday the fifteenth day of February instant; and I do dissolve the Legislative Assembly, which is hereby dissolved accordingly. And I do hereby declare that I have this day given order that Writs be issued in due form, and according to law, for the election of Members to be duly returned to serve in the Legislative Assembly.

Given under my Hand and the Seal of the Colony, at Melbourne, this third day of February, in the year of our Lord One thousand eight hundred and eighty-three, and in the forty-sixth year of Her Majesty's reign.

(L.S.)

NORMANBY.

By His Excellency's Command,

J. M. GRANT.

GOD SAVE THE QUEEN!

The following Papers were published for public information in a Government Gazette Extraordinary, on January 30, 1883:

Sir Bryan O'Loghlen to the Governor.

Ministers desire to bring under the notice of His Excellency their views in respect of the existing prospects of the transaction, after the recess, of legislative or other public business in the Assembly, more especially in connexion with verbal representations made to His Excellency on Thursday the 4th instant.

These may be summed up as having been generally to the effect that a careful review of the action in Parliament of certain members would appear to indicate—

Firstly, That there exists an evident intention to impede, by concerted action, the necessary measures presented to Parliament for its consideration during the present session, and particularly the Amending Land Act.

Secondly, That, judging further by the past conduct of these members, this concerted action would still take the form of motions to be debated with no practical result other than occupying the sitting time of the House, to the exclusion of other business.

Thirdly, That these members, following out this line of intervening with plausible motions and raising irrelevant debates, in place of openly obstructing public business, count on defeating any proposed legislation, and thus disparaging the Government whilst they themselves would escape the public condemnation which open obstruction would entail.

In support of these statements, Ministers desire to inform His Excellency that during the present session, which has lasted from the 25th April to the 21st December last, the Assembly sat upon one hundred days, and during that period there were six debates which arose either on direct motions of want of confidence or on motions assuming that form, and which occupied twenty-five days, or one-fourth of the sittings (Annexure marked "A"). In addition, moreover, to these, thirty-six motions for the adjournment of the House (Annexure marked "B") were debated—the discussions of these motions occupying in many cases one whole night each. From the general character of the subjects brought forward, these adjournment motions could only be considered as the outcome of a deliberate intention to delay and impede the business of the House. Though some portion of these two classes of debate no doubt came within legitimate parliamentary action, yet the free use of these forms, supplemented by minor tactical moves, enabled certain members to carry out a skilfully cloaked policy of obstruction, by thus occupying the sitting time of the House to a larger extent, approaching one-half of it at the least, and so far hindering the progress of legislation. Ministers having patiently struggled with this obstruction, during eight months, in the hope of wearing it out, and having now carefully considered the prospects of transacting public business after the recess, have reluctantly come to the conclusion that it will be useless to ask the existing Assembly to proceed either with legislative or other business. Ministers therefore desire to tender to His Excellency advice, and submit to his consideration the reasons therefor as embodied in this Minute.
INDEX.

VOLS. 39, 40, & c. 41.

LEGISLATIVE COUNCIL.

Absence of Members—Motion by Mr. Simson for leave of absence to Mr. Hamilton, 91; debated, 92; carried, 93; leave of absence granted to Mr. Clarke, 514; to Sir Charles Sladen, 2033.

Addresses to the Queen—Congratulating Her Majesty on her happy preservation from assassination, 90; congratulating Her Majesty on the success of the British arms in Egypt, 1766.

Addresses to the Governor—In reply to His Excellency's speech on the opening of the session, 5-7; Court of General Sessions, at Alexandra, 2261.

Adjournments of the House—Pending result of motions in the Legislative Assembly antagonistic to the Government, 91-3, 277-8, 690-1, 693-4, 2737, and 2807; on account of the political assassinations in Ireland, 203; in consequence of Mr. Ramsay's death, 390; for the Christmas holidays, 2904.

Alexandra. (See General Sessions.)


Bankers' Books Evidence Law Amendment Bill—Brought in by Dr. Dobson, and read first time, 419; second reading, 519-20; considered in committee, 625; read third time, 600.


BELL, Hon. JAMES (N. W. Prov.)—Introduced and sworn, 2670. Mr. Langdon, M.L.A., 2704.
Bill Discharged from the Paper—Privileges of Parliament Bill, 419.


BROMELL, Hon. Thomas (W. Prov., afterwards Nelson) Mining Companies’ Calls and Forfeitures Validating Bill, 2514.

Railway Construction Bill, 2489.

Tramways Bill, 1474.

BUCHANAN, Hon. James (S., afterwards S. E. Prov.) Diseases in Stock Act Amendment Bill, 2172, Leave of Absence to Mr. Hamilton, 93.

Railway Construction Bill, 2338, 2400, 2405, 2437, 2611, and 2613.


Building Societies Act Amendment Bill—Received from Legislative Assembly, and read first time, 820; second reading, 975; considered in committee, 975 and 1058; third reading, 1093.

CAMPBELL, Hon. James (Wellington)—Introduced and sworn, 2512.

Railway Construction Bill, 2579.

Railway Construction in Gippsland, 2729, 2732, 2927, and 2930.

Chairman of Committees—Mr. Jenner elected, 5.

Chairman of Committees, Rules of Examination of witnesses at the bar, 2488.

Railway Construction Bill, 2579 and 2580.

Committees (permanent)—Appointed, 5 and 2904.

Committees (select) — Appointed—Governor’s Speech, 5; Elections and Qualifications, 90 and 2903; Attempted Assassination of the Queen, 90; Jolimont Railway Accident, 514; Conference with Legislative Assembly re Council Electors Bill, 1400; Legislative Council Chamber—Accommodation for Members, 1540; War in Egypt—Address to the Queen, 1766.

Conference with Legislative Assembly. (See Council Electors Bill.)

Consolidated Revenue (£1,038,450) Bill—Received from Legislative Assembly, and passed through all its stages, 820–2.

Consolidated Revenue (£353,755) Bill—Receiving from Legislative Assembly, and passed through all its stages, 1644.

Consolidated Revenue (£353,755) Bill—Received from Legislative Assembly, and passed through all its stages, 2490.

Consolidated Revenue (£640,000) Bill—Received from Legislative Assembly, and read first time, 2925; passed through remaining stages, 2926.

Council Elections—Question by Mr. Zeal, 2388.

Council Elections (1882) Act Amendment Bill—Brought in by Dr. Dobson, and read first time, 419; second reading moved by Dr. Dobson, 516; debated by Mr. Charles Sladen, 516; Mr. Balfour, 518; Bill read second time, 519; considered in committee, 519 and 625; third reading, 792; Governor’s message intimating that the Bill has been reserved “for the signification of Her Majesty’s pleasure thereon,” 1134.

Council Electors (Licenses Qualifying) Bill—Received from Legislative Assembly, and read first time, 1057; second reading, 1091; considered in committee, 1092; read third time, 1135; message from Legislative Assembly, intimating disagreement with Council’s amendments, 1229; message considered, 1316 and 1344; amendments insisted on, 1347; message from Legislative Assembly inviting conference, 1400; committee appointed to confer with committee of Legislative Assembly, 1400: statement by Dr. Dobson as to result of conference, 1475; message from Legislative Assembly intimating agreement with Council’s amendments with an amendment, 1619; Assembly’s amendment adopted, 1619-20.

Council Supplementary Rolls (1882) Bill—Brought in by Dr. Dobson, and read first time, 1766; passed through remaining stages, 1842-3; amendments recommended by the Governor adopted, 2004.

Counts Out—On assembling, 2061 and 2144.

County Court Judges Bill—Brought in by Dr. Dobson, and read first time, 419; second reading moved by Dr. Dobson, 520; debated by Sir Charles Sladen, 521; Mr. Fitzgerald, 521; debate adjourned, 522; resumed by Mr. Cutlbert, 625; continued by Mr. Anderson, 626; Mr. Simson, 626; Bill read second time, 626; considered in committee, 626; read third time, 660.

COUTTS, Hon. David (N. W. Prov.)—Introduced and sworn, 2670.

Cowie’s Creek Station Reserve—Question by Mr. Belcher, 1549; statement by Mr. Belcher, 1695.


Railway Construction Bill, 2400 and 2437.

CUTHERB, Hon. Henry (S. W. Prov., afterwards Wellington) Building Societies Act Amendment Bill, 975.

Consolidated Revenue (£653,785) Bill, 2490.

County Court Judges Bill, 625 and 628.

Inscribed Stock Bill, 2520.

Mining Companies’ Calls and Forfeitures Validating Bill, 2572, 2573, 2512, 2514, and 2576.

Railway Construction Bill, 2564, 2568, 2401, 2403, 2404, 2435, 2549, 2490, 2577, 2580, 2611, 2612, 2671, 2732, and 2784.

Sir Charles Sladen, 2572.

Statute of Trusts Amendment Bill, 1228; message considered, 1347; message from Legislative Assembly intimating disagreement with Council’s amendments with an amendment, 1229; amendments insisted on, 1347; message from Legislative Assembly inviting conference, 1400; committee appointed to confer with committee of Legislative Assembly, 1400; statement by Dr. Dobson as to result of conference, 1475; message from Legislative Assembly intimating agreement with Council’s amendments with an amendment, 1619; Assembly’s amendment adopted, 1619-20.

Council Supplementary Rolls (1882) Bill—Brought in by Dr. Dobson, and read first time, 1766; passed through remaining stages, 1842-3; amendments recommended by the Governor adopted, 2004.

Counts Out—On assembling, 2061 and 2144.

County Court Judges Bill—Brought in by Dr. Dobson, and read first time, 419; second reading moved by Dr. Dobson, 520; debated by Sir Charles Sladen, 521; Mr. Fitzgerald, 521; debate adjourned, 522; resumed by Mr. Cutlbert, 625; continued by Mr. Anderson, 626; Mr. Simson, 626; Bill read second time, 626; considered in committee, 626; read third time, 660.

COUTTS, Hon. David (N. W. Prov.)—Introduced and sworn, 2670.

Cowie’s Creek Station Reserve—Question by Mr. Belcher, 1549; statement by Mr. Belcher, 1695.


Railway Construction Bill, 2400 and 2437.

CUTHERB, Hon. Henry (S. W. Prov., afterwards Wellington) Building Societies Act Amendment Bill, 975.

Consolidated Revenue (£653,785) Bill, 2490.

County Court Judges Bill, 625 and 628.

Inscribed Stock Bill, 2520.

Mining Companies’ Calls and Forfeitures Validating Bill, 2572, 2573, 2512, 2514, and 2576.

Railway Construction Bill, 2564, 2568, 2401, 2403, 2404, 2435, 2549, 2490, 2577, 2580, 2611, 2612, 2671, 2732, and 2784.

Sir Charles Sladen, 2572.

Statute of Trusts Amendment Bill, 1228; message considered, 1347; message from Legislative Assembly intimating disagreement with Council’s amendments with an amendment, 1229; amendments insisted on, 1347; message from Legislative Assembly inviting conference, 1400; committee appointed to confer with committee of Legislative Assembly, 1400; statement by Dr. Dobson as to result of conference, 1475; message from Legislative Assembly intimating agreement with Council’s amendments with an amendment, 1619; Assembly’s amendment adopted, 1619-20.

Council Supplementary Rolls (1882) Bill—Brought in by Dr. Dobson, and read first time, 1766; passed through remaining stages, 1842-3; amendments recommended by the Governor adopted, 2004.

Counts Out—On assembling, 2061 and 2144.

County Court Judges Bill—Brought in by Dr. Dobson, and read first time, 419; second reading moved by Dr. Dobson, 520; debated by Sir Charles Sladen, 521; Mr. Fitzgerald, 521; debate adjourned, 522; resumed by Mr. Cutlbert, 625; continued by Mr. Anderson, 626; Mr. Simson, 626; Bill read second time, 626; considered in committee, 626; read third time, 660.

COUTTS, Hon. David (N. W. Prov.)—Introduced and sworn, 2670.

Cowie’s Creek Station Reserve—Question by Mr. Belcher, 1549; statement by Mr. Belcher, 1695.
Despatches from Secretary of State for the Colonies—Presented by command, 792; transmitted by the Governor, 1309.

Diseases in Stock Act Amendment Bill—Brought in by Mr. Cumming, and read first time, 1914; order for second reading postponed, 2172–3.

Divisions—In full House—Re Tramways Bill, 1316 and 1475; on Mr. Campbell's motion for select committee re railway construction in Gippsland, 2931.

Division—In Committee—On Mr. Zeal's amendment on clause 2 (interpretation of "local authority") of Tramways Bill, 2007.

DOBSON, Hon. F. S., Solicitor-General (S. Prov., afterwards S. E. Prov.)

Attempted Assassination of the Queen, 490.

Balliwicks Boundaries Act Amendment Bill, 1619.

Bankers Books Evidence Law Amendment Bill, 490.

Defence of the Colony—War Materiel, 2926; Dynamite Explosion at Prahran—Question by Mr. Zeal, 419.

Cowie's Creek Station

Council Elections, 2368.

Court of General

County

Christmas Holidays, 1766.

Chairman of Committees, 5.

Jolimont Railway Accident, 418 and 2873.

Statute

Expiring Laws Continuation and Amendment Bill, 1143, 1474, 1622, 1844, and 2008.

University of Melbourne Law Further Amendment Bill, 1620, 1914, 2088, 2177, 2178, 2266, and 2371.

War in Egypt—Address to the Queen, 1766.


Working of Victorian Railways, 1913 and 2873.

(Introduced on election for South-Eastern Province, 2485.)

DOUGHERTY, Hon. J. G. (E. Prov., afterwards Gippsland)

Tramways Bill, 1314 and 1766.

Dynamite Explosion at Prahran—Question by Mr. Zeal, 419.

Egyptian War—Announcement by Dr. Dobson of "brilliant success recently achieved by Her Majesty's naval and military forces," 1766; select committee appointed to prepare address of congratulation to the Queen, 1766; address brought up and adopted, 1766; communication from the Governor, notifying transmission of address, 1847; despatch from Secretary of State, acknowledging receipt of address, 2433.

Electors and Qualifications Committee—President's warrants produced, 90 and 2903.

Elections, Biennial—Results of elections announced, 2485, 2573, 2670, and 2704.

Excise Duties. (See Tobacco Duties Bill.)

Expiring Laws Continuation and Amendment Bill—Received from Legislative Assembly, and read first time, 2931; passed through remaining stages, 2032.

FITZGERALD, Hon. Nicholas (N. W., afterwards N. C. Prov.)

Council Electors (Licensees Qualifying) Bill, 1318.

County Court Judges Bill, 521 and 627.

Defence of the Colony, 821.


Leave of Absence to Mr. Hamilton, 93.

Legislative Council Chamber, 1540.

Loans Redemption Bill, 2518.

Mining Companies' Calls and Forfeitures Validating Bill, 2265, 2371, 2373, 2374, 2514, and 2578.

Political Assassinations in Ireland, 202.

Political Situation—Adjournment of the House, 2931; 277, 278, 690, 693, 2737, and 2907.

Position and Emoluments of Officers of the House, 2373.

Prince's (New) Bridge, 2903.

Privileges of Parliament Bill, 4.

Railway Construction Bill, 2172, 2261, 2325, 2332, 2397, 2399, 2401, 2402, 2405, 2407, 2434, 2436, 2487, 2498, 2578, 2910, 2912, 2874, and 2932.

Railway Construction in Gippsland, 2730 and 2928.

Sandhurst Public Buildings Sites Bill, 660 and 792.

Sessional Arrangements—Days of Sitting, 5; Standing Committees, 5 and 2904.

Sir Charles Sladen, 2003 and 2806.

Statute of Trusts Amendment Bill, 2575.

Supreme Court Bill, 1135, 1490, and 1622.

Telegraph Extension to Snake Valley, 2085.

DOBSON, Hon. F. S. (continued)—

Titles-office, 1135.

Trade Unions Bill, 2085.

Tramways Bill, 1143, 1474, 1622, 1844, and 2008.

University of Melbourne Law Further Amendment Bill, 1620, 1914, 2088, 2177, 2178, 2266, and 2371.

War in Egypt—Address to the Queen, 1766.


Working of Victorian Railways, 1913 and 2873.

(Introduced on election for South-Eastern Province, 2485.)

Dynamite Explosion at Prahran—Question by Mr. Zeal, 419.

Egyptian War—Announcement by Dr. Dobson of "brilliant success recently achieved by Her Majesty's naval and military forces," 1766; select committee appointed to prepare address of congratulation to the Queen, 1766; address brought up and adopted, 1766; communication from the Governor, notifying transmission of address, 1847; despatch from Secretary of State, acknowledging receipt of address, 2433.

Electors and Qualifications Committee—President’s warrants produced, 90 and 2903.

Elections, Biennial—Results of elections announced, 2485, 2573, 2670, and 2704.

Excise Duties. (See Tobacco Duties Bill.)

Expiring Laws Continuation and Amendment Bill—Received from Legislative Assembly, and read first time, 2931; passed through remaining stages, 2032.

FITZGERALD, Hon. Nicholas (N. W., afterwards N. C. Prov.)

Council Electors (Licensees Qualifying) Bill, 1318.

County Court Judges Bill, 521 and 627.

Defence of the Colony, 821.


Leave of Absence to Mr. Hamilton, 93.

Legislative Council Chamber, 1540.

Loans Redemption Bill, 2518.

Mining Companies’ Calls and Forfeitures Validating Bill, 2265, 2371, 2373, 2374, 2514, and 2578.

Political Assassinations in Ireland, 202.

Political Situation—Adjournment of the House, 2931; 277, 278, 690, 693, 2737, and 2907.

Position and Emoluments of Officers of the House, 2373.

Prince’s (New) Bridge, 2903.

Privileges of Parliament Bill, 4.

Railway Construction Bill, 2172, 2261, 2325, 2332, 2397, 2399, 2401, 2402, 2405, 2407, 2434, 2436, 2487, 2498, 2578, 2910, 2912, 2874, and 2932.

Railway Construction in Gippsland, 2730 and 2928.

Sandhurst Public Buildings Sites Bill, 660 and 792.

Sessional Arrangements—Days of Sitting, 5; Standing Committees, 5 and 2904.

Sir Charles Sladen, 2003 and 2806.

Statute of Trusts Amendment Bill, 2575.

Supreme Court Bill, 1135, 1490, and 1622.

Telegraph Extension to Snake Valley, 2085.
INDEX.

Governor's Messages—Intimating that His Excellency has given the Royal assent to certain Bills, 880, 1134, 1400, 1694, 1842, 2085, 2485, 2573, and 2729; that the Council Elections (1882) Act Amendment Bill has been reserved for the signature of the Queen's pleasure thereon, 1134; re Council's address as to attempted assassination of the Queen, 1309; re Council Supplementary Rolls (1882) Bill, 2004; re Council's address on the British victories in Egypt, 2485.

GRAHAM, Hon. JAMES (C. Prov., afterwards S. Yarra)—


HAMILTON, Hon. T. F. (S. Prov.)—Granted leave of absence, 91-3.


Inscribed Stock Bill—Received from Legislative Assembly, and passed through all its stages, 2519-20. (See Loans Redemption Bill.)


Jolimont Railway Accident—Question by Mr. Zeal, 418; motion by Mr. Zeal for committee of inquiry, 514; agreed to, 516; committee's report brought up, 1820; motion by Mr. Zeal for adoption of report, 1843; agreed to, 1844; question by Mr. Beaver, 2873; statement by Dr. Dobson, 2573. (See Railway Department.)

Judicature Bill. (See Supreme Court Bill.)

Land Tax Act, Amendment of—Questions by Mr. Russell, 2610 and 2704.

Legislative Council Chamber—Motion by Mr. MacBain, for select committee to ascertain "what alterations, if any, are desirable to give the necessary accommodation for the proposed increase in the number of members," 1540; debated, 1540; agreed to, 1540; committee's report brought up, 1620; chamber illuminated with electric light, 2577.

Loans Redemption Bill—Received from Legislative Assembly, and passed through all its stages, 2514-19. (See Inscribed Stock Bill.)


MACBAIN, Hon. JAMES (continued)—
Water Supply—Loans to Local Bodies, 2670.
(Introduced on election for South Yarra, 2578.)

MCCULLOCH, Hon. WILLIAM (E. Prov., afterwards Gippsland)
Railway Construction Bill, 2404, 2577, 2579, 2611, 2612, 2874, and 2932.
Railway Construction in Gippsland, 2734. Tramways Bill, 881 and 1312.

Married Women's Property Act Amendment Bill
—Received from Legislative Assembly, and read first time, 2086; second reading, 2173-4; considered in committee, 2269; third reading, 2371.

MEARES, Hon. GEORGE (N. Yarra)—Introduced and sworn, 2670.

Melbourne Harbour Trust—Question by Mr. Zeal, re extension of jurisdiction, 2926.

MELVILLE, Hon. DONALD (S. Prov.)—Introduced and sworn, 2670.

Member, Death of—Announced—Mr. Henty, 4.
Members, Leave of Absence to. (See Absence of Members.)

Members, New—Introduced and sworn—Mr. Ormond, 4 and 2570; Mr. Zeal, 202 and 2485; Dr. Dobson, Mr. Thornley, Mr. Hanna, and Mr. Pearson, 2485; Mr. J. Campbell, 2512; Mr. MacBain and Mr. Sargood, 2573; Mr. Ham, Mr. Melville, Mr. Meares, Mr. Beaver, Mr. Sterry, Mr. Williamson, Mr. Bell, and Mr. Coutts, 2670.

Members, Resignation of—Mr. W. Campbell, 7; Sir Charles Sladen, 2806.

Messages between the Houses—Message from Legislative Assembly, requesting concurrence in new joint standing order, 2003; referred to Standing Orders Committee, 2003; report brought up and adopted, 2085; Governor's approval of new standing order announced, 2172.

Mining Companies' Calls and Forfeitures Validating Bill—Received from Legislative Assembly, and read first time, 2268; second reading, 2371-3; considered in committee, 2373 and 2512; third reading, 2576.

Ministry. (See Adjournments of the House.)

MITCHELL, Hon. Sir W. H. F. (See The Hon. the President.)


North-Western Province, Representation of—Resignation of Mr. W. Campbell announced, 7; election of Mr. Zeal announced, 202; Mr. Zeal introduced and sworn, 209.

Officers of the House, Position and Emoluments of—Question by Dr. Hearn, 2873. (See Stevenson, The late W. H.)

Old Colonists' Association Bill—Received from Legislative Assembly, 880; motion by Mr. Graham for remission of fees, agreed to, 1057; Bill read first time, 1057; second reading, 1135; passed through committee, 1228; report adopted, 1351; third reading, 1848.

ORMOND, Hon. FRANCIS (S. W. Prov.)—Introduced and sworn, 4.
Governor's Speech, 7. Tramways Bill, 1313.
(Introduced on re-election, 2870.)

Parliament—Opening of the session, 1.
Parliament Buildings Committee—Appointed, 5; report brought up and adopted, 1766. (See Legislative Council Chamber.)

PEARSON, Hon. WILLIAM (E. Prov., afterwards Gippsland)

Petitions presented—Against Sandhurst Public Buildings Sites Bill, 792; for Tramways Bill, 1309, 1474, 1540, 1766, 1842, and 2085; for certain amendments in University of Melbourne Law Further Amendment Bill, 1842; re proposed Creswick and Daylesford Railway, 2521, 2527, 2670, and 2807; re proposed rules of Supreme Court as to admission of attorneys, 2261; re proposed railway to Alexandra, 2291; re proposed railway to Neerim, 2321 and 2704; re proposed railway to Terang, 2391; re railway to Elmore, 2368; re railway to Mansfield, 2396, 2485, and 2873; re railway from Beeac to Scarsdale, 2396 and 2433; re Heidelberg terminus, 2344, 2512, and 2704; re proposed Camberwell Junction Branch, 2396, 2397, and 2433; for railway to Swan Hill, 2485; for tramway to Mount Cole Forest, 2485; for railway from Narracan to McDonald's Track, 2485; for railway to Cribb Point, 2485; re Mining Companies' Calls and Forfeitures Validating Bill, 2485; re proposed Kororoit Railway, 2512 and 2573; re railway from Sandhurst to Heathcote, 2521 and 2609; re Avoca Railway, 2512; re railway to Glen Iris, 2573; re Numurkah and Nathalia Railway, 2573; re Hamilton and Coleraine Railway, 2573; re Launcecoorie Railway, 2573; for railway to Carisbrook, 2573; for railway extension to Belford, 2609; to Warrnambool, 2670; re railway extension to Bairnsdale, 2670 and 2704; for horse tramway from Fiskville to Gembrook, 2704; re proposed Fern-tree Gully Railway, 2670; for railway extension to Moyhu, 2704; re management of the railways, 2807; for railway from Camperdown to Lintons, 2873.

Political Assassinations in Ireland—Announcement of the murder of Lord Frederick Cavendish, Chief Secretary for Ireland, and Mr. T. H. Burke, Under-Secretary, and adjournment of the House in consequence, 202-3.
Political Situation. (See Adjournments of the House.)

President, Absence of—Dr. Dobson takes the chair as Acting President, 2407 and 2575.

President, Hon. the (Sir W. H. F. Mitchell)—Railways of—

Council Elections (1882) Amendment Bill, 518 and 752.

Debate—Speaking interrogatively, 1312.

Motions proposed without notice, 881.

Railway Construction Bill, 2368 and 2369.

Voting an address to a retiring member—Sir Charles Sladen, 2906 and 2870.


Princess's (New) Bridge—Question by Mr. Sladen, 2870.

Privileges of Parliament Bill—Brought in by Dr. Dobson, and read first time, 4; discharged from the paper, 419.

Public Service. (See Telegraph Department.)

Qualification, Declarations of —Delivered to Clerk, 4, 90, 202, 390, 513, 693, 2454, 2455, 2512, 2573, 2870, and 2870.

Queen, The—Attempted Assassination of—Motion by Dr. Dobson for select committee to prepare address of congratulation to Her Majesty, notice of, 4; proposed and agreed to, 30-1; select committee appointed to prepare address, 91; address brought up and adopted, 91; communication from Governor's private secretary notifying transmission of address, 202; despatch from Secretary of State acknowledging receipt of address, 1309.

Railway Construction Bill—Received from Legislative Assembly, and read first time, 2172; second reading moved by Dr. Dobson, 2261; debated by Mr. Cuthbert, 2294; Mr. Anderson, 2265; Mr. MacBain, 2295; debate adjourned, 2265; resumed by Mr. Zeal, 2328; continued by Mr. Wallace, 2324; Bill read second time, 2326; motion by Mr. Anderson, "That it be an instruction to the committee that they have power to examine witnesses and call for papers," seconded by Mr. Zeal, 2328; debated by Mr. Fitzgerald, 2331; Mr. MacBain, 2331; agreed to, 2332; Bill considered in committee, 2332, 2397, 2434, 2457, 2520, 2577, 2610, 2670, 2704, 2737, 2874, 2904, and 2932; question by Mr. Pearson, 2732; Mr. Zinman, 2303; questioned by Mr. Zeal, 2303; debated by Mr. Anderson, 2303; Mr. Sargood, 2704; Mr. Wallace, 2299; Mr. Harley, M.L.A., to attend as a witness, agreed to, 2458; motion by Mr. Balfour, re leave to
Sessional Arrangements—Appointment of days of sitting and standing committees, 5.

**SIMPSON, Hon. Robert (W. Prov.)**
Council Elections (1882) Act Amendment Bill, 591.
County Court Judges Bill, 626.
Leave of Absence to Mr. Hamilton, 91.
Legislative Council Chamber, 1540.
Political Assassinations in Ireland, 203.
Political Situation—Adjournment of the House, 691 and 694.
Railway Construction Bill, 2399 and 2401.
Supply Bills, 1622.
University of Melbourne Law Further Amendment Bill, 2089.

**SLADEN, Hon. Sir Charles (W. Prov., afterwards Nelson)**
Bankers’ Books Evidence Law Amendment Bill, 519.
Chairman of Committees, 5.
Council Elections (1882) Act Amendment Bill, 516, 661, and 693.
Council Electors (Licences Qualifying) Bill, 1091, 1092, 1228, 1316, 1436, and 1619.
County Court Judges Bill, 521, 626, and 628.
Leave of Absence to Mr. Hamilton, 91.
Legislative Council Chamber, 1540.
Political Situation—Adjournment of the House, 693.
Temporary Advances (Railways) Bill, 1309.
Tobacco Duties Bill, 1091.
Tramways Bill, 1139 and 1621.
University of Melbourne Law Further Amendment Bill, 1923.
Working of Victorian Railways, 1913.
(Resignation announced, 2806.)

Sladen, Hon. Sir Charles—Illness announced, 2003; granted leave of absence, 2003; resignation announced, 2806; subject of voting address to Sir Charles Sladen discussed, 2806 and 2870.

South-Western Province, Representation of—Death of Mr. Henty announced, 4; election of Mr. Ormond announced, 4 and 2970; Mr. Ormond introduced and sworn, 4 and 2870.

**STANBRIDGE, Hon. W. E. (N. W., afterwards N. C. Prov.)**
Daylesford Water Supply, 91.
Governor’s Speech, 6-6.
Loans Redemption Bill, 2510.
Mining Companies’ Calls and Forfeitures Validating Bill, 2372 and 5576.
Trade Unions Bill, 2374.
University of Melbourne Law Further Amendment Bill, 2006, 2086, 2175, 2176, 2179, 2267, and 2371.

Standing Orders Committee—Appointed, 5; report re messages between the Houses, brought up, 2085.

**STERN, Hon. D. C. (N. Prov.)—Introduced and sworn, 2670.**
Railway Construction Bill, 2874.


Supreme Court Bill—Brought in by Dr. Dobson, and read first time, 1335; second reading, 1347-8; considered in committee, 1400 and 1540; third reading, 1622.

Telegraph Department—Motion by Mr. Ross, for return of new appointments, &c., 513; agreed to, 514; produced, 792.

Telegraph Extension to Snake Valley—Question by Mr. Russell, 2085.

Temporary Advances Bill—Received from Legislative Assembly, and read first time, 1393; passed through remaining stages, 1944.

Temporary Advances Bill (No. 2)—Received from Legislative Assembly, and read first time, 2407; passed through remaining stages, 2434.

**Thorneley, Hon. Nathan (W. Prov.)—Introduced and sworn, 2485.**
Railway Construction Bill, 2488.
Railway Construction in Gippsland, 2735.

Titles-office—Question by Mr. Belcher, 1135.
Tobacco Duties Bill—Received from Legislative Assembly, and passed through all its stages, 1031; Royal assent, 1134.

Trade Unions Bill—Received from Legislative Assembly, and read first time, 2086; second reading, 2268-9; considered in committee, 2374.

Tramways Bill—Motion by Mr. Cuthbert for leave to introduce, 890; ruled out of order, motion not having been given, 581; proposed, 975; agreed to, 974; Bill brought in, and read first time, 974; second reading moved by Mr. Cuthbert, 1135; debated by Sir Charles Sladen, 1139; Mr. Zeal, 1141; Mr. Simson, 1142; Mr. Buchanan, 1142; Dr. Dobson, 1143; Mr. Fitzgerald, 1144; debate adjourned, 1146; resumed by Mr. Anderson, 1309; continued by Mr. Jenner, 1311; Mr. Russell, 1312; Mr. McCalloch, 1312; Mr. Belcher, 1313; Mr. Wallace, 1313; Mr. Ormond, 1313; Mr. Ross, 1313; Mr. Lorimer, 1313; Mr. MacBain, 1314; Mr. Fitzgerald, 1315; Mr. Balfour, 1316; Dr. Hearns, 1316; debate adjourned, 1316, 1475, and 1620—2; resumed by Mr. Ross, 1707; Bill read second time, 1767; considered in committee, 1844, 2006, and 2179; read third time, 2269.

Trusts. (See Statute of Trusts Amendment Bill.)

University of Melbourne Law Further Amendment Bill—Brought in by Dr. Dobson, and read first time, 1620; second reading moved by Dr. Dobson, 1914; debated by Mr. Anderson, 1916; Mr. Fitzgerald, 1917; Dr. Hearns, 1920; Sir Charles Sladen, 1923; debate adjourned, 1926; resumed by Mr. MacBain, 2004; adjourned, 2006; resumed by Mr. Stanbridge, 2096; continued by Mr. Balfour, 2087; Mr. Lorimer, 2087; Bill read second time, 2088; considered in committee, 2088, 2175, and 2266; third reading, 2371.
INDEX.


YOUNG, Hon. George (N. W. Prov.)—Introduced and sworn, 2704.

Aborigines, The—Question by Mr. Zox, re management of Coranderrk station, 134; by Mr. Deakin, 134 and 360; by Mr. Dow, 246; by Mr. Anderson, 278 and 359; by Mr. Duffy, 360; by Mr. Wrixon, 360; statement by Mr. Deakin, 361; discussion thereon, 361; papers re case of Bella Lee ordered, on motion of Mr. Richardson, 474; produced, 474; question by Mr. Richardson, 793; statement by Mr. Dow, re report of board of inquiry, 855.

Addresses to the Queen—Congratulating Her Majesty on her happy preservation from assassination, 325; congratulating Her Majesty on the success of the British arms in Egypt, 1769.

Addresses to the Governor—In reply to His Excellency's speech on the opening of the session, 319; re position and emoluments of officers of the Legislative Council, 1489; re war in Egypt, 1769.

Adjournments, Motions for. (See Motions for the Adjournment of the House.)

Adjournments of the House—On account of the political assassinations in Ireland, 203-8; in consequence of Mr. Ramsay's death, 391; over the "Cup" day, 2234-90; over Prince of Wales' birthday, 2578-96; in consequence of Mr. Munro's motion for select committee, re railway collision at Hawthorn, being accepted as one of want of confidence in the Ministry, 2739-68; for the Christmas holidays, 2016-50. (See Christmas Holidays; also "Cup" Day.)

Agent-General, The—Question by Mr. Mirams, 977.

Agricultural College—Question by Mr. Connor, 2876. (See Dothie Farm.)

Agriculture, Department of. (See Wallis, Mr. A. R.)

Albert Park Lake, Improvement of—Question by Mr. Nimmo, 57.

Albury Railway Junction. (See Railway Junction.)

Aldborough, The. (See Assault on the High Seas.)

Alexandra. (See General Sessions.)

Alphington Railway—Question by Mr. Ramsay, 18; by Mr. Mirams, 592; statement by Mr. Langridge, 592; further questions by Mr. Mirams, 1519 and 1520; by Mr. Langridge, 1519; statement by Mr. Bent, 1520; discussion thereon, 1520.

American Ships—Complaint by Seamen—Statement by Mr. Longmore, 2208.

Anderson, Mr. William (Villiers and Hayesbury) Administration of the Land Law—Land at Turrumberry, 1202.

Budget, 879.

Camperdown Railway, 1285.

Carlton Gardens, 2897.

Christmas Holidays, 2912 and 2916.

Coranderrk Aboriginal Station, 278, 359, 360, and 366.
INDEX.

Barker, Mr. John—Late Clerk of the Legislative Assembly—Motion by Sir Bryan O’Loghlen recognising the manner in which Mr. Barker had discharged his duties, 395; debated, 396; agreed to, 397; statement by the Speaker, 419; letter of acknowledgment from Mr. Barker, 524.

Barley, Imported—Question by Mr. Hall, re duty, 661; by Mr. A. T. Clark, re malting in bond, 780.

BARR, Mr. J. M. (Maryborough and Talbot) Administration of the Education Department, 492.

Administration of the Land Law—110th Section Reserves, 1494.

Budget, 875.

Christmas Holidays, 2912.

Contagious Diseases Hospital, 95.

Council Electoral Rolls, 764 and 2335.

Council Electors (Licences Qualifying) Bill, 1563.

Creswick Mining Disaster, 2808, 2851.

Defence of the Colony, 1025.

Forest Conservation, 1479 and 2808.

Governor’s Speech, 272.

Hawthorn Railway Collision, 2096, 2785, and 2951.

Irish Question—Conduct of Members, 553.

Land Acts Continuation and Amendment Bill, 402.

Melbourne Harbour Trust—Deposit of Silt, 1501.

Melbourne Tramway and Omnibus Company’s Bill, 2277.

Mr. W. Shuttleworth, 1497.


North Melbourne Swamp, 2295.

Parliament House—Large Hall, 323; Stone for Front, 2414.


Prothonotary, 2932.

Railway Ballast Contracts, 149, 374, 389, and 390.

Railway Construction Bill, 1111, 1334, 1385, 1387, 1398, 1471, 1714, 1858, 1863, 1910, and 2957.

Railway Department—Maryborough Station, 94; Timber Siding at Dunach, 94; Prosecution for Libel, Wright v. Driscoll, 855; Eight Hours System, 1272.

Registrar at Majorca, 174.

Road at Wareek, 1500.

Water Supply—Grants to Water Trusts, 790.

Wattle Planting, 1463.

Beer Duty—Questions by Mr. Mason, 171; by Mr. Mirams, 1476 and 1541; motion by Mr. Mirams for renewing duty, 1628; negatived, 1629.

Belfast Harbour Improvements. (See Western Ports.)

BELL, Mr. HENRY (Ballarat West)

Cemeteries Statute Amendment Bill, 1584.

Governor’s Speech, 303.

Locomotives—Phenix Foundry Company, 1166 and 1259.

Private Members’ Business, 1883.

Railway Ballast Contracts, 633.

Railway Construction Bill, 1535, 1700, 1897, and 2092.

BELL, Mr. HENRY (continued)—

Railway Department—Eight Hours System, 1286.

Reserves, 975.

State School Buildings—Charges against Public Officers, 883.

Temporary Advances (Railways) Bill, 1166 and 1259.

Water Supply—Grants to Water Trusts, 791.

Wattle Planting, 1460.

BENT, Mr. THOMAS, Minister of Railways (Brighton)

Administration of the Land Law—Alleged Dummy Cases, 1295.

Bacchus Marsh Railway, 2808.

Betting and Gaming Houses Suppression Law Amendment Bill, 1854.

Blue Mountain Road, 2064.

Budget, 702 and 713.

Building Societies Act Amendment Bill, 582.

Camperdown Railway, 1286.

Cemeteries Statute Amendment Bill, 1583.

Christmas Holidays, 2915.

Coburg Railway, 1036, 1058, and 1570.

Council Electors (Licences Qualifying) Bill, 1200.

“Cup” Day, 2237.

Defence of the Colony, 1013.

Governor’s Speech, 43.

Hawthorn and Lillydale Railway, 135, 279, 280, and 359.

Hawthorn Railway Collision, 2675, 2699, 2745, and 2750.

Hobson’s Bay Railway, 120.

Irish Question — Conduct of Members, 499, 597, and 620.

Kerang Railway, 1570.

Leases Redemption Bill, 2320.

Melbourne Tramway and Omnibus Company’s Bill, 919, 921, 922, 2119, and 2717.

Mining Companies’ Calls and Forfeitures Validating Bill, 2109.

Mr. Deakin, 1531 and 1533.

Mr. Elsdon, 59 and 152.

Mordialloc Railway, 944 and 945.

Mr. Fincham, 1894.

Mr. Deakin, 1351 and 1353.

North Eastern Railway, 1032.

Order of Business—Land Bill v. Railway Bill, 1089 and 1090.

Phenix Foundry Company, 1322.

Privilege—Mr. Woods and the Age, 2776.

Railway Ballast Contracts, 137, 145, 251, 333, and 335.

Railway Rates, 16, 121, 322, 3279, and 2688.

BENT, Mr. THOMAS (continued)—

Railway Department—Free Passes, 17, 268, 281, and 1848; Sydney Return Tickets, 20; Officials’ Cattle, 20; Colour Blindness, 56 and 857; Eight Hours System, 57, 247, 1147, and 1518; Carriage of Grampian Stone, 57; Emerald Hill Fares, 94; Gippsland Goods Traffic, 94; Maryborough Station, 94; Siding at Dunach, 94; Howard-street (Ballarat) Platform, 94; Ararat Line, 95; Wool Rates, 95; Contract for Locomotives, 100; Ford Board, 135; North Ballarat Siding, 136; Somerton Flag Station, 136; Suburban Trains, Gippsland Line, 209; Ballarat Trains, 209; Camberwell Line, 209; Donoghoe’s Conduct, 251; Essendon Trains, 669; Station Omnibuses, 669; Ballarat, 669; New Station, St. Kilda Line, 695; Balmain-street Crossing, 823; Portland Station, 822; Annual Report, 852; Locomotive Whistles, 858; Mrs. Maling, 1027; North Brighton Station, 1028 and 1092; Cattle Trucks, 1147; Eaglehawk Station, 1229; Siding at Newarea, 1229; Siding at Emerald Hill, 1233; Ballarat Cattle Yards, 1263; Eight Hours System, 1267, 1429, and 2935; Guards of Passenger Trains, 1286 and 1566; Gatekeepers’ Wages, 1321 and 1365; North Melbourne Station, 1379; Workshops at Horsham, 1382; Telegraph Offices at Stations, 1476; Pay of Junior Officers, 1480; Siding at Balat­

INDEX.

BERRY, Mr. GRAHAM (continued)—
Mr. E. H. Hargreaves, 746.
Mr. Longmore and Mr. Berry, 981.
Mr. James McLean, 2680.
Municipal Elections, 1359.
Order of Business, 1052, 1090, 2463, 2464, and 2582.
Farks and Gardens, 2581.
Public Expenditure—City Costs—Taxing Officer, 2180.
Political Assassinations in Ireland, 203.
Privilege—Dr. Madden and the Age, 1350; Mr. Woods and the Age, 2776.
Public Finances, 756, 2402, and 2405.
Public Service, 1373, 2207, and 2550.
Railway Ballast Contracts, 351.
Railway Department—Gatekeepers' Wages, 1365; Kensington Hill, 2292, 2294, 2496, and 2498, and 2002; Appointment of Employés, 2938 and 2836.
Railway Loan (1881) Application Bill, 2283.
Railway Rolling-stock, 29 and 1106.
Reading of Letters in Debate, 2708 and 2711.
St. George's Hall, 2905.
Sandhurst Ladies Vesting Bill, 740.
Sessional Arrangements, 41; Private Members' Business, 326.
Sunbury Lunatic Asylum—Mr. Baldwin's Dismissal, 1453.
Supply Bills, 504.
Support to the Chair, 2462.
Temporary Advances (Railways) Bill, 1201, 1209, 1227, and 1230.
The late Clerk of the Assembly, 306.
Vine Disease Act Amendment Bill, 2945, 2946, and 2949.
Water Supply—Grants to Water Trusts, 727, 728, and 786; Geelong, 1477, 2009, 2064, and 2100; Dammelnkile, 2224.
Yarra Bank Lands, 1881.

Betting and Gaming Houses Suppression Law Amendment Bill—Brought in by Mr. Fisher, and read first time, 1424; second reading moved by Mr. Fisher, 1877; debated by Sir Bryan O'Loghlen, 1881; Mr. Muir, 1881; Mr. Walsh, 1881; Dr. Madden, 1882; Mr. Zoé, 1884; Bill read second time, 1884; considered in committee, 1884.
Bill Discharged from the Paper—Mining Companies Act Amendment Bill, 2388.
Bills, Private. (See Private Bills.)

BLACKETT, Mr. C. R. (Fitteroy)
Administration of the Land Law—James O'Donoghue's Selection, 1446.
Betting and Gaming Houses Suppression Law Amendment Bill, 1890.
Boiler Explosions Prevention Bill, 2449.
Coburg Railway, 1350.
Defence of the Colony—Naval Forces, 1321.
Despatch of Business, 2408.
Explosives, 1848.
Fitzeroy Post-office, 764.
Gold and Silver Plate, 1263.
Governor's Speech, 8.
Irish Question—Conduct of Members, 617.
Kew Lunatic Asylum, 1596.

BLACKETT, Mr. C. R. (continued)—
Land Acts Continuation and Amendment Bill 2584.
Loans Redemption Bill, 2422.
Melbourne Tramway and Omnibus Company's Bill, 835, 1805, 2272, 2276, and 2719.
Police Commission, 1386.
Police—Detective Wilson, 279 and 488.
Railway Construction Bill, 1343, 1602, 1882, and 1704.
Railway Department—Carriage of Grampian Stone, 57.
The Speaker, 2710.
Vine Disease Act Amendment Bill, 2949.

Blue Mountain Road—Question by Mr. Duffy, 2064.
Boiler Explosions Prevention Bill—Brought in by Mr. Blackett, and read first time, 2449.
Boiler Inspection—Question by Mr. W. M. Clark, 631.

BOLTON, Mr. HENRY, Postmaster-General (Moira)
Government Annuities and State Life Assurance, 2438.
Governor's Speech, 269.
Land Act Continuation and Amendment Bill, 2833 and 2836.
Mr. Deakin, 1366.
Portland Free Library, 2737.
Postal Department—Female Officers, 158; Newspaper Postage, 279; Letter Sorters, 230 and 1363; Emerald Hill Pillar Boxes, 394; Appointments, 504; Trade Circulars, 323; Mail Contracts, Myrmong and Blackwood, 857; Robbery of Registered Letters, 2384 and 2374; Telegraph Line Repairers, 2439.
Post and Telegraph Offices—Kerang, 209 and 1489; Carisbrook, 422; Fitzroy, 764; Lake Rowan, 1229; Carlton, 1402 and 1619; Melbourne, 1795 and 2114.
Railway Construction Bill, 1740.
Telegraph Extension—Prahran, 470; Natimuk, 1822; Ballarat Stock Exchange, 1868.
Telephone Communication, 2009 and 2183.
Water Supply—Moira, 971.

Bordeaux Wine Exhibition—Statement by Sir Bryan O'Loghlen, 1293.
Borondara, Representation of—Resignation of R. Murray Smith announced, 8; election of Mr. Walker announced, 8; Mr. Walker introduced and sworn, 8.

BOSISTO, Mr. JOSPEPH (Richmond)
Alphington Railway, 1520.
Christmas Holidays, 2914.
Defence of the Colony, 793 and 1021.
Dr. Edward Barker, 1948.
Explosives, 1285.
Governor's Speech, 295.
Irish Question—Conduct of Members, 615.
Melbourne Harbour Trust Act Amendment Bill, 1946.
Melbourne Tramway and Omnibus Company's Bill, 823, 1967, 2270, 2377, and 2838.
Parks and Gardens, 2438 and 2889.
Personal Explanation, 1716.
Legislative Assembly.

Bosisto, Mr. Joseph (continued)—
Railway Construction Bill, 1051, 1133, 1397, 1398, 1587, 1736, and 2169.
Railway Department—Balmain-street Crossing, 822; Colour Blindness, 857; Guards of Passenger Trains, 1286 and 1396; Swan-street Crossing, 1444.
Trade Unions Bill, 2035.
Vine Disease Act Amendment Bill, 2708 and 2946.
Wattle Planting, 171, 172, 288, and 1482.
Yarra Bend Lunatic Asylum, 1623.

Botanic (Melbourne) Gardens—Question by Mr. Fisher, re carriage drive, 2535.
Bourke, East—Representation of—Death of Mr. Ramsay announced, 391; election of Mr. Harper announced, 669; Mr. Harper introduced and sworn, 669.
Bourke Police District—Question by Mr. Hunt, 524.

Bowman, Mr. Robert (Maryborough and Talbot)—Administration of the Land Law—110th Section Reserves, 1406.
Budget, 703.
Carisbrook Post-office, 422.
Creswick Mining Disaster, 2893.
Drawbacks, 135 and 136.
Governor’s Speech, 295.
Hawthorn Railway Collision, 2693.
Irish Question—Conduct of Members, 463.
Magistrates, 20.
Maryborough Water Trust, 296, 723, 732, 761, and 762.
Mr. Elsdon, 141.
Mr. Patterson, 2893, 2538, and 2566.
Model Farm, 417.
Publicans’ Licences—Special Districts, 487.
Railway Construction Bill, 1056, 1335, 1410, 1417, and 1902.
Railway Department—Eight Hours System, 840 and 2935; Appointment of Employes, 2838.
Sir John O’Shanassy, 482.
Spirits—Adulteration of Imported Spirits, 16; Colonial Spirits, 538.
Temporary Advances (Railways) Bill, 1257.

Broken Creek Waterworks. (See Water Supply.)

Brophy, Mr. Daniel (Ballarat East)—Assurances of Personal Property, 2290.
Ballarat and Creswick State Forest, 1480.
Betting and Gaming Houses Suppression Law Amendment Bill, 1894.
Cemeteries Statute Amendment Bill, 1584.
Customs Seizures, 17.
Irish Question—Conduct of Members, 454 and 455.
Liquor Traffic—Local Option, 1194.
Mr. E. H. Hargreaves, 1436.
Phenix Foundry Company, 1322.
Postal Department—Senior Sorters, 1365.
Railway Construction Bill, 988, 1340, 1897, 1910, and 1912.
Railway Department—Eight Hours System, 1272; Goods Sheds—Warrenheip and Gordon’s line, 2098.
Telegraph Line Repairers, 2439.
Wattle Planting, 1461.

Bulgat, The—Submitted by Sir Bryan O’Loghlen in Committee of Supply, 435. First Night’s Debate—Mr. Berry, 490; Sir John O’Shanassy, 498; Mr. Pearson, 503; Mr. Fisher, 505; Mr. Walsh, 507; Mr. Mirams, 507. Question by Mr. Munro, 563. Second Night’s Debate—Major Smith, 583; Sir Bryan O’Loghlen, 586. Third Night—Mr. Francis, 591. Fourth Night—Mr. Longmore, 544; Mr. Walker, 846; Mr. Graves, 495. Fifth Night—Mr. Graves, 585; Mr. Wixon, 561; Mr. Carter, 566; Mr. Richardson, 570; Mr. Zox, 573; Mr. Barr, 875; Mr. Hall, 876; Mr. Pearson, 877; Mr. O’Callaghan, 878. Sixth Night—Sir Bryan O’Loghlen, 877; Mr. Woods, 887; Mr. Laurens, 888; Mr. Harper, 897; Mr. Fisher, 901; Mr. Kerferd, 903; Mr. Berry, 905; Mr. Mason, 910; Mr. Francis, 912. Seventh Night—Mr. Dow, 946; Mr. Nimmo, 946; Mr. R. Clark, 949; Mr. Williams, 950; Mr. Burrowes, 954; Mr. Mirams, 955; Sir Bryan O’Loghlen, 963; Mr. Munro, 984; Mr. Wheeler, 966; Mr. James, 967; Dr. Quick, 968; Mr. Gardiner, 969; debate terminated, 970. (See Public Finances; also Taxation and Tobacco Duties Bill.)

Building Societies Act Amendment Bill—Brought in by Mr. Munro, and read first time, 489; second reading, 582; considered in committee, 582 and 742; read third time, 838; returned from Legislative Council with amendments, 1099; amendments adopted, 1099.

Burrowes, Mr. Robert, Minister of Mines (Sandhurst)—Amendment of the Regulation of Mines Statute, 2576.
Coal, 203 and 524.
Coburg Railway, 1060.
Creswick Mining Disaster, 2807, 2842, and 2883.
Explosives, 447, 1795, 1848, and 1978.
Hawthorn Railway Collision, 2766.
Koo-wee-rup Swamp, 2291.
Land Dispute at Cooomora, 1151.
Miners’ Lien Bill, 17.
Miners’ Requirements, 761; Wages, 2549.
Mining at Sandhurst—Underground Surveys, 2066; No. 180 Claim, 2065 and 5145.
Mining Claim Damage, 823.
Mining Companies’ Calls and Forfeitures Validating Bill, 1898, 2190, 2299, and 2609.
Mining Leases, 101, 102, 961, 952, 954, and 1321.
Mining on Private Property Bill, 404.
Mining Statute—Regulations, 1263.
Mr. E. H. Hargreaves, 746, 749, and 1429.
Order of Business—Land Bill v. Railway Bill, 1076.
Personal Explanation, 132.
Railway Department—Eight Hours System, 1273; Kensington Hill, 2504.
Regulation of Mines—Inspection of Mining Machinery, 179; Engine-drivers, 2063.
Rent of Auriferous Land, 16.
Residence Areas, 2183.
Sandhurst Lands Vesting Bill, 738.
Sandhurst Public Buildings Sites Bill, 404, 450, 659, and 660.
Water Supply—Spring Gully Reservoir, 764; Crusoe Reservoir, 1040.
INDEX.

CAMEROON, Mr. E. H. (Evelyn)
Coranderrk Aboriginal Station, 362.
Mr. W. Shuttleworth, 1500.
Public Instruction—School at Yan Yean, 943.
Railway Construction Bill, 1681 and 1699.
Railway Time Tables, 2707.
Whitfield Railway, 1570.
Campbell, Mr. (J.P.)—Question by Mr. Longmore, 2335.
Campendonk Railway—Question by Mr. Longmore, 594; by Mr. Anderson, 1285.
Carlbrook Post-office—Question by Mr. Bowman, 422.
Carlton Gardens—Question by Mr. Mason, 2115; by Mr. Munro, 2293 and 2291; by Mr. Anderson, 2907. (See Parks and Gardens.)
Carlton Post-office—Question by Mr. Gardiner, 18 and 1402.
Carlton Quarry Holes—Question by Mr. Gardiner, 18 and 1402.
Catholic v. Sands—Subpoena to Clerk of Assembly to produce papers, 1032 and 1040.
Carter, Mr. G. D. (St. Kilda)
Budget, 865.
Christmas Holidays, 2914.
Commissioner of Titles, 858.
Creswick Mining Disaster, 2893.
“Cup” Day, 2258.
Defence of the Colony, 1008.
Expiring Laws Continuation and Amendment Bill, 2942.
Inscribed Stock Bill, 2508 and 2510.
Irish Question—Conduct of Members, 451.
Liquor Traffic—Local Option, 1182 and 1184.
Loans Redemption Bill, 2439 and 2425.
Melbourne Harbour Trust Act Amendment Bill, 1936, 1945, and 2706.
Melbourne Tramway and Omnibuses Company’s Bill, 571, 917, 922, 924, 1097, 1202, 1575, 1835, 1965, 2084, 2116, 2215, 2223, 2271, 2273, 2275, 2276, 2278, 2279, 2280, 2287, 2432, 2433, 2522, 2524, 2526, 2529, 2541, 2542, 2550, 2568, 2570, 2692, 2716, 2717, 2718, and 2718.
Mr. A. T. Clark, 580.
Order of Business, 1089, 1096, and 2187.
Parliament House—Electric Light, 1980; Stone for West Front, 2414 and 2494.
Private Bills, 1798.
Public Finances, 2491.
Public Houses—Special Districts, 492 and 484; Inspectors, 2594.
Railway Ballast Contracts, 356 and 376.
Railway Construction Bill, 1420, 1422, 1590, 1594, 1630, 1639, and 1640.
Railway Department—Alterations on Suburban Lines, 1821; Loading Trucks, 2621.
Railway Extension—Elwood, 1928.
Royal Park—Sale of Experimental Farm, 247, 249, 404, 410, 412, and 415.
Sandhurst Lands Vesting Bill, 734 and 737.
Temporary Advances (Railways) Bill, 1251.
The Loan, 1977.
Yan Yean Water Supply, 2490.

Casting Vote of the Speaker—On Mr. Mason’s motion for second reading of Legal Proceedings Bill, 1429.
Catalpa Tree—Question by Sir John O’Shanassy, 2636.

Causes—Subject referred to during debate on Mr. Fincham’s motion re administration of the Railway department, 357.
Cemeteries Statute Amendment Bill—Brought in by Mr. Kerferd, and read first time, 1367; second reading moved by Mr. Kerferd, 1739; debated, 1759; debate adjourned, 1356.
Cemeteries—Questions by Mr. Woods, 235 and 2735. (See Defence of the Colony.)
Chairman of Committees—Mr. Anderson, Acting Chairman, 1031 and 1053.

Chairman of Committees (Mr. Cooper) —
Rulings of—
Allegation re “bribes,” 1837; re “log-rolling,” 1899; that a member makes statements “with the view of misleading the committee,” 2901.
Amendment of clauses in Bills, 1774, 1779, and 1785.
Amending the title of a Bill, 1774.
Denial of statements, 718, 843, 1241, and 1892.
Exclusion of strangers, 1819 and 1820.
Expenditure under loans—Railway works, 1106.
Interjections, 1127.
Marginal notes of clauses, 1395.
Mr. B, 1500.
Motions for adjournment of debate, 947 and 948; practice on resumption of debate, 1118; motions for adjournment proposed in order to anticipate business on the notice-paper, 2492.
Offensive language, 1748.
Personal explanations, 1352.
Protest of debate, 1128.
Railway Construction Bill, 982, 1002, 1048, 1060, 1133, 1305, 1324, 1377, 1378, 1395, 1591, 1636, 1639, 1640, 1671, 1690, 1737, and 1819.
Railway Loan (1881) Application Bill, 2288.
Reading of letters in debate, 2397.
Recommittal of Bills, 1898.
References in committee to proceedings in the House, 951.
Reflections on a member, 2938.
Use of the term “dishonest,” 1747.

Charitable Institutions—Questions by Mr. Zox, re Mr. Neil’s report, 17 and 1476; return ordered, on motion of Mr. Miram, 2190. (See Ballarat Benevolent Asylum; also Melbourne Hospital.)
Chinese, The—Question by Mr. McKean, re poll-tax, 422; by Mr. Woods, re prevention of Chinese immigration, 1671.
Christmas Holidays—Question by Mr. Munro, 2549; motion by Sir Bryan O’Loghlen, that the House at its rising on December 21 adjourn until Tuesday, 9th January, notice of, 2675; motion submitted, 2088; amendment by Mr. Francis, that the adjournment be until 13th February, 2298; subject debated, 2908; amendment carried, 2915-16; question by Mr. Anderson, 2916.
Cigar Manufacture—Licence Fees—Question by Mr. Hall, 320.
Civil Service. (See Public Service.)

Clay, Mr. A. T. (Williamstown)
Budget, 710 and 879.
Cemeteries Statute Amendment Bill, 1584.
Council Elections, 2592.
CLARK, Mr. A. T. (continued)—
Council Electors (Licences Qualifying) Bill, 1198.
Defence of the Colony, 806 and 1003.
Deposit of Silt, 1503, 1505, and 1508.
Dredging Operations, 309 and 1623.
Hawthorn Railway Collision, 2796 and 2856.
Letters read by Members, 765.
Malting Barley in Bond, 760.
Melbourne Harbour Trust—Purchase of Plant, 502; Melbourne Harbour Trust Act Amendment Bill, 1437 and 1938.
Mr. E. H. Hargreaves, 1430.
Mr. W. Shuttleworth, 1488 and 1587.
Parliamentary Buildings—Telephone Communication, 2870.
Pilot Loiseau, 976 and 1194.
Political Assassinations in Ireland, 206.
Public Service, 2042.
Railway Ballast Contracts, 147, 377, and 379.
Railway Construction Bill, 1111, 1121, 1594, 1649, 1704, and 2169.
Railway Department—Eight Hours System, 841; Free Passes, 842; Prosecution for Libel, Wright v. Driscoll, 853; Manufacture of Locomotives, 1228.
Railway Employers' Bill, 1490.
Railway Loan (1881) Application Bill, 2282.
Sandhurst Water Supply—Grants to Water Trusts, 789.
Sandhurst Water Supply, 1476.
CLARK, Mr. Robert (Sandhurst)—
Betting and Gaming Houses Suppression Law Amendment Bill, 1884.
Cemeteries Statute Amendment Bill, 1581.
Council Electoral Rolls, 667 and 2033.
Council Supplementary Rolls (1882) Bill, 1891.
Creswick Mining Disaster, 2542 and 2583.
Education Commission, 95 and 135.
Explosives, 447.
Governor's Speech, 248.
Hawthorn Railway Collision, 2818.
H. M. S. Nelson, 2491.
Irish Question—Conduct of Members, 548 and 553.
Kerang Railway, 2463.
Melbourne Tramway and Omnibus Company's Bill, 924.
Mining at Sandhurst, 2146.
Mining Companies' Calls and Forfeitures Validating Bill, 2110.
Mining Regulations, 1263.
Mining Surveyors, 2065.
Mr. Elston, 59.
Mr. E. H. Hargreaves, 745 and 1436.
Municipal Endowment, 1846.
Parliament House—Stone for West Front, 2114.
Party Squabbles, 1865.
Railway Department—Eight Hours System, 57, 858, 1283, 1290, 1297, 1273, 1428, and 1518.
Railway Extension—Sandhurst to Heathcote, 2034.
Regulation of Mines—Engine-drivers, 209.
Residence Areas, 2183.
Sandhurst Lands Vesting Bill, 736.
Sandhurst Public Buildings Sites Bill, 480, 659, and 666.
Sandhurst Water Supply, 2184.

CLARK, Mr. Robert (continued)—
Standing Orders Committee's Report, 940.
Tea Act Regulations, 1423.
Temporary Advances (Railways) Bill, 1170.
Tobacco Duties, 949.
Trade Unions Bill, 591 and 1575.
Unparliamentary Expressions, 947.
Votes on Account, 2504.
Water Conservation, 2096.

CLARK, Mr. W. M. (Footscray)—
Boiler Inspection, 631.
Coranderrk Aboriginal Station, 365.
Explosives, 20 and 1034.
Governor's Speech, 289.
Melbourne Tramway and Omnibus Company's Bill, 1097.
Mrs. Harriet Norgate, 1055 and 2115.
Parliament House—Stone for West Front, 2414 and 2478.
Police, 420; Constable Corbett, 1768.
Public Instruction—Administration of the Education Department, 434; School at Brookly, 564; Pupil Teachers, 659.
Railway Brakes, 16.
Railway Department—Ford Board, 135.

Clark, The Late. (See Barker, Mr. John.)
Cliffy Island Lighthouse—Question by Mr. Orkney, 2522.
Closed Roads. (See Roads, Closed.)
Coal—Question by Mr. Williams, 289; by Mr. Mason, 524.
Coburg Railway—Question by Mr. Cook, rev. devotion, 527 and 1036; statement by Mr. Cook, 1037; discussion thereon, 1037; question by Mr. Patterson, 1058; statement by Mr. Patterson, 1058; discussion thereon, 1069; question by Mr. Blackett, 1352; by Mr. Laurens, 1370.
Codification—Question by Dr. Quick, 17. (See Judicature Bill.)
Coliban Water Supply. (See Water Supply.)
Collingwood Electoral Registrar—Question by Mr. McKean, 694.
Colour Blindness. (See Railway Department.)
Committees (permanent) — Appointed, 326.
Committees (select) — Appointed—Governor's Speech, 315; Attempted Assassination of the Queen, 324; Administration of the Railway Department, 390; Elections and Qualifications, 561; Old Colonists' Association Bill, 565; Parliament House—Stone for West Front, 745; Sandhurst Lands Vesting Bill, 917; Melbourne Tramway and Omnibus Company's Bill, 1099; Compensation to Geelong Vignerons, 1274; Conference with Legislative Council, re Council Electors Bill, 1383; Yea Railway, 1492; War in Egypt—Address to the Queen, 1769.
Companies Statute Amendment Bill—Brought in by Sir Bryan O'Loghlen, and read first time, 9.
Conference with Legislative Council. (See Council Electors Bill.)

CONNOR, Mr. J. H. (Geelong)—Introduced and sworn, 8.
Agricultural College, 2538 and 2876.
"Cup" Day, 2235.
Despatch of Business, 2189.
Disease in Vines, 762.
Forest Conservation, 1482.
Governor's Speech, 13.
INDEX.

CONNOR, Mr. J. H. (continued)—
International Fisheries Exhibition, 975.
Irish Question—Conduct of Members, 620.
Land Acts Continuation and Amendment Bill, 2258 and 2333.
Melbourne Tramway and Omnibus Company's Bill, 634.
Public Instruction—Military Drill, 1795.
Railway Construction Bill, 987, 1057, 1132, 1284, 1299, 1302, 1642, 1675, 1742, 1850, 1862, 1894, and 1910.
Reserves, 423.
Tree Planting in State School Reserves, 320.
Water Supply to Geelong, 1629 and 2901.
Wattle Planting, 1461.

Consolidated Revenue (£653,785) Bill—Brought in by Sir Bryan O'Loghlen, and passed through all its stages, 820.
Consolidated Revenue (£825,000) Bill—Brought in by Sir Bryan O'Loghlen, and passed through all its stages, 1629–30.
Consolidated Revenue (£653,785) Bill—Brought in by Sir Bryan O'Loghlen, and passed through all its stages, 2505.
Consolidated Revenue (£640,000) Bill—Brought in by Sir Bryan O'Loghlen, and passed through all its stages, 2252.
Contagious Diseases Hospital—Question by Mr. Barr, 95.

COOK, Mr. W. M. (East Bourke Boroughs)—
Coburg Railway, 627, 1036, 1040, and 1062.
Melbourne Tramway and Omnibus Company's Bill, 2623.
Railway Construction Bill, 1393 and 1859.

COOPER, Mr. THOMAS (Creswick)—
Budget, 705.
Cemeteries Statute Amendment Bill, 1585.
Creswick Mining Disaster, 2877 and 2898.
Forest Conservation, 1481.
Governor's Speech, 297.
Land Acts Continuation and Amendment Bill, 2657.
Melbourne Tramway and Omnibus Company's Bill, 2523.
Mining Companies' Calls and Forfeitures Validating Bill, 2259.
Mr. E. H. Hargreaves, 1432.
Personal Explanation, 94.
Private Members' Business, 1799.
Public Instruction—Deep Creek School, 324; Allendale, 2324.
Railway Construction Bill, 2060.
Sandhurst Public Buildings Sites Bill, 481.
(See Chairman of Committees.)

Coranderrk Aboriginal Station. (See Aborigines.)
Council Elections—Question by Mr. A. T. Clark, 2251; by Mr. Mason, 2544. (See Electoral Provinces.)
Council Elections (1882) Act Amendment Bill—Question on by Dr. Quick, 55; Bill received from Legislative Council, and read first time, 796; passed through remaining stages, 1041–8; Governor's message intimating the reservation of the Bill for the signification of the Queen's pleasure thereon, 1148.
Council Electoral Rolls (continued)—630; statement by Sir Bryan O'Loghlen, 631; question by Mr. Deakin, 632; further statement by Sir Bryan O'Loghlen, 662; discussion thereon, 663; motion by Mr. Barr for return, proposed and withdrawn, 764; question by Mr. Fisher, 1569; by Mr. Gar· dner, 1927; by Mr. Mirams, 2903; return ordered, on motion of Mr. Barr, 2335; produced, 2463.
Council Electors (Licensees Qualifying) Bill—Motion by Sir Bryan O'Loghlen for leave to introduce, 1029; debated, 1025; agreed to, 1031; Bill brought in, and passed through all its stages, 1031; returned from Legislative Council with amendments, 1148; amendments considered, 1192; disagreed with, 1291; message from Legislative Council insisting on amendments, 1365; motion by Sir Bryan O'Loghlen, for a conference with the Legislative Council, 1383; debated, 1385; agreed to, 1384; message from Legislative Council intimating agreement to a free conference, 1402; statement by Sir Bryan O'Loghlen as to result of conference, 1482; motion by Sir Bryan O'Loghlen for considering Council's amendments, 1543; debated, 1546; carried, 1568; disagreement with Council's amendments not insisted on, 1569.
Council Supplementary Rolls (1882) Bill—Received from Legislative Council, and read first time, 1567; second reading moved by Sir Bryan O'Loghlen, 1887; debated by Mr. Wrixon, 1888; Mr. Berry, 1888; Mr. R. Clark, 1891; debate adjourned, 1892; resumed by Mr. Deakin, 1932; continued by Mr. Fisher, 1932; Mr. Pearson, 1933; Bill read second time, 1934; considered in committee, 1934; read third time, 1935; amendments recommended by the Governor agreed to, 2014.
Counsel heard at the bar of the House. (See Melbourne Harbour Trust Act Amendment Bill.)
Count Out—During discussion in committee on Railway Construction Bill, 1821.
County Court Judges Bill—Received from Legislative Council, and read first time, 699.
County Court Judgments. (See Intercolonial Reciprocity.)
Cowrie's Creek Station Reserve—Statement by Mr. Rees, 1715.
Creswick Mining Disaster—Question by Mr. James, 2307; by Mr. R. Clark, 2342; by Major Smith, 2542; motion by Mr. Cooper, in favour of grant of £1,000 to head a national subscription, 2277; seconded by Mr. Richardson, 2578; debated by Sir Bryan O'Loghlen, 2879; Mr. Minna, 2880; Sir John O'Shanassy, 2881; Mr. James, 2882; Mr. Burrowes, 2883; Mr. R. Clark, 2883; Major Smith, 2884; Mr. McIntyre, 2885; Mr. Longmore, 2885; Dr. Madden, 2885; Mr. Zox, 2887; Mr. Berry, 2887; Mr. Gillies, 2888; Mr. Cartwright, 2893; return, 2898; Mr. Wheeler, 2899; Mr. Pearson, 2891; Mr. Carter, 2893; Mr. Barr, 2894; Mr. Fisher, 2895; Mr. Bowman, 2895; Mr. Francis, 2896; Mr. Nimmo, 2896; Mr. Williams, 2896; Mr. McColl, 2897; Mr. Macgregor, 2897; Mr. Munro, 2897; Mr. Laurens, 2898; debate adjourned, 2898. (See Victorian Order of Merit.)
Criminal Appeals—Question by Mr. Fisher, 135.
Criminal Law and Practice Statute Amendment Bill—Brought in by Dr. Madden, and read first time, 588.


CUNNINGHAM, Mr. GEORGE (Geelong) Disease in Vines, 2644.

Fire Brigades Demonstration at Sydney, 2010.

"Cup" Day, The—Motion by Sir Bryan O'Loghlen, for the adjournment of the House over "Cup" Day, 2234; debated, 2235; carried, 2238.

Custom-house—Offices of Inspector of Stock—Statement by Mr. McColl, 271; by Mr. Graves, 222; further statement by Mr. McColl, 321; statement by Mr. Walker, 321.

Customs Department—Question by Mr. Brophy, 459.

Daly, Alfred—Case of—Question by Mr. Zox, 1542.

DAVIES, Mr. D. M. (Grenville) Dr. Edward Barker, 1954.

Forestry—Forest Conservation, 1430.

Governor's Speech, 177.

Irish Question—Conduct of Members, 615.

Medical Act—Prescriptions, 602.

Police Stations, 660.

Public Instruction—School at Ascot Vale, 59.

Railway Ballast Contracts, 143, 347, 380, 389, and 643.

Railway Construction Bill, 997, 1125, 1384, 1521, 1591, 1537, 1826, and 1839.

Railway Department—Heroism of a Gate-keeper's Daughter, 420; Accident at Murrumbeena, 469; Essendon Trains, 669; Station Omnibuses, 669; Overcrowding of Cattle Trains, 1146; Eight Hours System, 1267; Buffers, 2113 and 2582; Gisborne Station, 2205; Kensington and Newmarket Stations, 2375.

Reading of Letters in Debate, 2712.

Charles Mac Mahon and Mr. Bent, 2839.

Surburb Lunatic Asylum—Mr. Baldwin's Dismissal, 1447, 1452, 1457, 1475, and 1541.

Temporary Advances (Railways) Bill, 1253.

Water Conservation Act Amendment Bill, 2096.

Yarra Bank Lands, 1381.

Deakin, Mr. ALFRED (continued)—Governor's Speech, 263.

Hawthorn Railway Collision, 2758 and 2826.

Irish Question—Conduct of Members, 544 and 623.

Irrigation—Bacchus Marsh, 823, 886, and 1065.

Land Acts Continuation and Amendment Bill, 400, 2204, 2593, 2908, and 2706.

Mail Contracts—Myringon and Blackwood, 877.

Married Women's Property Act Amendment Bill, 2038.

Melbourne Tramway and Omnibus Company's Bill, 829.

Ministry—"Stone-walling" Public Business, 1866.

Order of Business, 1067, 1090, and 2186.

Personal Explanation, 351 and 2706.


Police, 1229 and 1292.

Privilege—Dr. Madden and the Age, 1351.

Public Instruction—School at Ascot Vale, 59.

Rookwood Petty Sessions, 174.

Scarsdale Railway, 20.

Sebastopol and Dunsborough, 173.

Vaccination, 629 and 1058.

Days of Sitting—Appointed, 325.

Deakin, Mr. ALFRED (W. Bourke) Administration of the Land Law—Alleged Dummy Cases, 1293.

Bacchus Marsh Railway, 2738.


Budget, 703.

Cemeteries Statute Amendment Bill, 1581.

Coranderrk Aboriginal Station, 134, 278, 300, and 361.

Council Electoral Rolls, 662.

Council Electors (Licences Qualifying) Bill, 1031, 1197, 1209, 1393, and 1646.

Council Supplementary Rolls (1882) Bill, 1932.

Szs. 1882—5.
INDEX.

Divisions—In full House—Re address in reply to Governor's speech, 317; re Sir Bryan O'Loghlen's motion for select committee to inquire into administration of Railway department, 387; on Mr. Francis' amendment (the previous question) to Mr. Patterson's motion re Irish question, 561; on Mr. Berry's proposition re Irish question, 624; on Mr. Hargreaves' amendment of Melbourne Tramway and Omnibus Company's Bill, 837; on Mr. Gardiner's motion for adjournment of debate on consideration of Standing Orders Committee's report, 942; on Sir Bryan O'Loghlen's amendment to motion for referring Melbourne Tramway and Omnibus Company's Bill to a select committee, 1099; on Mr. Levien's motion for select committee re compensation to Geelong vignerons, 1274; on Mr. Mason's motion for second reading of Legal Profession Bill, 1429; on R. R. Clark's motion re claims of Mr. E. H. Hargreaves, 1436; re Council's amendments in Council Electors (Licensees Qualifying) Bill, 1588 and 1590; on Mr. Mirams' proposal re excise duty on beer, 1627; re Mining Companies' Calls and Forfeitures Validating Bill, 1849; on second reading of Betting and Gaming Houses Suppression Law Amendment Bill, 1884; on second reading of Council Supplementary Rolls (1882) Bill, 1934; on Mr. Richardson's motion for recommittal of the Railway Construction Bill, 2029; on Mr. Berry's proposal re sale of Koo-kee-wa Swamp, 2077; on Mr. Fisher's proposal re limit of deviation—railway construction, 2108; re report of select committee on Melbourne Tramway and Omnibus Company's Bill, 2116, 2117, 2220, 2223, 2270, 2276, 2279, 2240, 2241, 2291, and 2719; re Sandhurst and Axedale Railway—Railway Construction Bill, 2141; on Mr. Wrixon's clauses for determining order of constructing new lines, 2170; on Mr. Hall's proposal for repeal of tea duty, 2494; on Mr. Gillios' motion for the adjournment of the House re railway collision at Hawthorn, 2703; on Sir Bryan O'Loghlen's amendment (the previous question) to Mr. Munro's motion re same subject, 2870; on Mr. Cooper's motion re mining disaster at Creswick, 2898; re adjournment of the House for the Christmas holidays, 2915 and 2916.

Divisions—In Committee—On vote on account for the Railway department, 738; on Mr. Laurens' motion for reporting progress during debate on the Budget, 879; on Sir Bryan O'Loghlen's proposal for continuing the excise duties on tobacco, 970; on Mr. Officer's motion for reporting progress during discussion on Koori line—Railway Construction Bill, 1053; re Brighton and Picnic Point Railway, 1111; on Mr. Berry's amendment to add the words "of Victorian manufacture only" to 1st item ($410,000 for rolling-stock) of schedule to Temporary Advances (Railways) Bill, 1960; re railway to Swan Hill, 1376, 1377, 1378, 1714, 1715, and 1909; re railway from Lancefield to Kilmora, 1387; from North Sandridge to Yarra Mouth, 1399; on Sir John O'Shanassy's amendment re Koroi line, 1678; on Mr. Wheeler's amendment re Creswick and Daylesford line, 1681; on Mr. Gillios' amendment re Sandwong and Sandhurst line, 1689; on Mr. Munro's amendment re Koo-kee-wa Swamp (Railway Construction Bill), 1785 and 1838; re railway from Sandwong to Sandhurst, 1852; to Elmore, 1857; from Coburg to Craigieburn, 1864; re Sandwong and Rose, 1907; on Sir John O'Shanassy's amendment to substitute "$4,000,000" for "$7,817,220" in clause 2 of Loans Redemption Bill, 2433.

Divorce, Petitions for—Question by Dr. Quick, 1174.

Dog Act Amendment Bill—Question by Mr. Dow, 976; by Mr. Kerferd, 2010 and 2114; Bill brought in, and read first time, 2146.

Dookie Farm—Question by Mr. McKean, 1979.

Dow, Mr. J. L. (Kara Kara) Budget, 946.

Coranderrk Aboriginal Station, 246, 360, 363, 387, and 885.

Dog Act Amendment Bill, 976.

Governor's Speech, 240.

Land for Continuation and Amendment Bill, 1074.

Lands Department—James Donoghue's Selection, 399 and 421; Land at Yawong, 1065; Model Farm, 414; Beazley's Bridge, 1229 and 1403.

Police—Promotions, 2932.

Privilege—The Age, 2780.

Railway Ballast Contracts, 328.

Railway Construction Bill, 1391, 1409, 1598, 1640, 1682, 1701, 1703, 1773, 1849, and 1851.

Railway Department—Vote for Contingencies, 733; Prosecution for Libel, 885, and 887; against Tiber, 1848; Black Mountain Railway, 2033 and 2304; Emu Station, 2114; Swanwater Station, 2591; Wheat Shipments and Wharf Accommodation, 2581.

Rifle Clubs, 1623 and 1678.

State School at New Bendigo, 885.

Water Conservation, 2090, 2146, and 2457.

Wattle Planting, 1462.

Totalisator, 482.

Dowie, Rev. J. A.—Proceedings of—Statements by Mr. Mason during debate on local option question, 1879; on motion for the adjournment of the House, 1927; discussion thereon, 1928.

Dredging Operations—Questions by Mr. A. T. Clark, 988 and 1623. (See Melbourne Harbour Trust.)

Duffy, Mr. J. Gayan (Dalhousie) Administration of the Land Law—Alleged Dummy Cases, 1299.

Bailiwick's Boundaries Act Amendment Bill, 1099, 1294, 1425, and 1586.

Blue Mountain Road, 2054.

Coranderrk Aboriginal Station, 360.

Council Elections (1882) Act Amendment Bill, 1042.

"Cup" Day, 2235.

Customs Department—Duty on Show Cattle, 1262.

Hawthorn Railway Collision, 2690.

Irish Question—Conduct of Members, 450, 451, 3582; Mr. Kerferd, 2010 and 2114; Mr. Francis' motion for the adjournment of the House for the Christmas holidays, 2915 and 2916.

Lands Department—Defalcations, 423.

Legal Profession Bill, 1265 and 1426.
DUFFY, Mr. J. GAVAN (continued)—
Legislative Assembly. 

Lodgers' Interests Protection Bill, 742.

Estimates brought down—Estimates of revenue and expenditure for the financial year, 435.

Evans, the Queen—Papers ordered the previous session, produced, 9.

Excise Duties. (See Tobacco Duties Bill.)

Duffy, Mr. J. Gavan (continued)—

Eastern Hill (Tank) Reserve—Question by Mr. Elsden, 2800.

Elections and Qualifications Education.

Estimates brought down—Estimates of revenue and expenditure for the financial year, 435.

Evans Excise Duties.

Evans—Question by Mr. Zox, 2101; by Major Smith, 2809. (See Employed in Shops Commission.)

Exhibition Building—Question by Mr. Zox, 1032; by Mr. Kerferd, 1032.

Expanding Laws Continuation Bill—Question by Mr. Orkney, re Inform Land Bill, 2738;

Governor's message brought down, 2007; considered in committee, 2920; resolution for an appropriation agreed to, 2920; reported and adopted, 2920; Bill brought in, and read first time, 2920; second reading, 2020–2; considered in committee, 2922 and 2935; read third time, 2944.

Explosives—Questions by Mr. W. M. Clark, re Footscray, 20 and 1954; statement by Mr. Berry, re „dangerous arrangements connected with the storage in the Bay of dynamite and other explosives,“ 293; question by Mr. Harris, re dynamite explosion at Prahran, 425; by Mr. R. Clark, re recommendations of Explosives Board, 447; by Mr. Bosato, 1285; by Mr. Zox, re prohibition of dynamite imports, 1477; statement by Mr. Graves, 1477; question by Dr. Quick, re Sandhurst dynamite magazine, 1795; by Mr. Blackett, re regulations as to importation, 1848; by Mr. McColl, re use of dynamite in mines, 1079.

Factory Act—Question by Mr. Zox, 2101; by Major Smith, 2809. (See Employed in Shops Commission.)

Factories and Workshops Bill—Question by Mr. Walsh, 836.

Falls Bridge, New—Question by Mr. Macgregor, 2976.

Federal Bank of Australia—Questions by Mr. Fincham, 2809 and 1459.

Federal Union of Australia—Motion by Mr. Munro, in favour of conference of representatives from the Governments of all the Australian colonies, re federal union, 1646; debated by Sir Bryan O'Loghlen, 1650; Mr. Berry, 1653; Sir John O'Shanassy, 1656; Major Smith, 1659; Mr. Walker, 1677; Dr. Quick, 1659; Mr. Harper, 1659; Mr. Woods, 1683; Mr. Mirans, 1686; Dr. Madden, 1688; Mr. Wrixon, 1670; debate adjourned, 1671; resumed by Mr. Wrixon, 2039; continued by Mr. Zox, 2040; Mr. Nimmo, 2049; debate adjourned, 2040 and 2380–2.

Finance. (See Public Finance.)

Fincham, Mr. G. R. (Ballarat West)

Ballarat and Creswick State Forest, 1479.

Christmas Holidays, 2915.

Governor's Speech, 126.

Hawthorn Railway Collision, 2990.

Melbourne Tramway and Omnibus Company's Bill, 221.

Mining and Building Bill, 17.

Mining Companies' Calls and Forfeitures Validating Bill, 2111.

Mr. Bent, 1894 and 1895.

Personal Explanations, 361, 1895, and 1896.

Railway Ballast Contracts, 129, 137, 138, 140, 151, 320, 327, 359, 370, 390, 396, and 635.

Railway Construction Bill, 1094, 1095, 1096, and 2105.

Railway Department—Howard-street (Ballarat) Crossing, 94; Ararat Line, 94; Eight Hours System, 1266; Sunday Trains, 1793; Kensington-hill Purchase, 2375; Locomotives, 2809.

Railway Rolling-stock, 15 and 16.
INDEX.

FINCHAM, Mr. G. R. (continued)—
Railway Workshops, 1511.
Temporary Advances (Railways) Bill, 1172.
Timber Reserves—Land at Wombat, 2932.

Fire Brigades—Question by Mr. Langridge, 2010.
Fires in Public Buildings—Questions by Mr. Zox, 470.

FISHER, Mr. JOHN (Mandurang)
Administration of the Land Law—Alleged
District Cases, 1290 and 2100.
Asking Questions, 1033.
Balliwicks Boundaries Act Amendment Bill, 1264.
Betting and Gaming Houses Suppression Law
Amendment Bill, 1425, 1877, 1884, and 1886.
Budget, 505, 702, 724, and 901.
Carriage Drive through the Botanic-gardens, 2935.
Cemeteries Statute Amendment Bill, 1583.
Christmas Holidays, 2915.
Closed Roads, 2042.
Coranderrk Aboriginal Station, 361.
Council Electoral Rolls, 634, 664, and 1569.
Council Electors (Licenses Qualifying) Bill, 1023, 1197, 1199, 1200, 1253, 1394, and 1549.
Council Supplementary Rolls (1882) Bill, 1892 and 1894.
Creswick Mining Disaster, 2895.
Criminal Appeals, 136.
"Cup" Day, 2235.
Defence of the Colony, 817 and 1023.
Dr. Edward Barker, 1950.
Eight Hours System, 1272.
Expiring Laws Continuation and Amendment
Bill, 2922 and 2942.
Governor’s Speech, 70.
Hawthorn Railway Collision, 2689, 2763, and 2922.
Irish Question—Conduct of Members, 555 and 619.
Judge Skinner, 502.
Judicature Bill, 630.
Kerang Post-office, 1489.
Kerang Railway, 17, 470, 488, and 1570.
Married Woman’s Property Act Amendment
Bill, 1425 and 2097.
Melbourne Harbour Trust Act Amendment
Bill, 1943.
Melbourne Tramway and Omnibus Company’s
Mining Companies’ Calls and Forfeitures Vali-
dating Bill, 2109.
Mr. E. H. Hargreaves, 746.
Mr. James McLean, 1437 and 2942.
Mr. W. Shuttleworth, 1498.
Motions for the Adjournment of the House, 2462.
North-Western Canal, 439.
Order of Business, 2189.
Parliamentary Costs—Taxing Officer, 2181.
Police—Accommodation at Durham Ox, 482 and 887; Petty Sessions Prosecutions, 629; Alleged Illegal Arrest, 634.
Police Courts—Kerang, 564; Gunbower, 669.
Police Magistrates, 20.
Political Assassinations in Ireland, 207.

FISHER, Mr. JOHN (continued)—
Private Bills, 1797, 1969, and 1983.
Privilege—The "Ave", 2777.
Publicans’ Licences—Special Districts, 486, 744, and 1113.
Public Instruction—School at Capel’s Cross-
ing, 279; St. Kilda, 370; Administration of the Education Department, 429; School at Macorna, 469; Cohuna, 564; Bear’s Lagoon, 564; Durham Ox, &c., 835.
Pyramid Creek Reserve, 452.
Railway Ballast Contracts, 648.
Railway Department—Donoghue’s Conduct, 591; Prosecution for Libel, Wright v. Driscoll, 853.
Rev. J. A. Dowie, 1030.
Sandhurst Mining Leases, 1321.
Sandhurst Public Buildings Sites Bill, 480, 582, and 639.
Serpentine Weir, 18, 133, and 468.
Sessional Arrangements—Private Members’
Business, 326 and 383.
Standing Orders Committee’s Report, 925.
Temporary Advances (Railways) Bill, 1243.
Trade Unions Bill, 1575 and 1577.
Water Supply—Grants to Water Trusts, 788; Loans to Local Bodies, 1487.
Yarra Bank Lands, 1381.
Yea Railway, 1492.

Fitzroy Post-office—Question by Mr. Blackett, 764; by Mr. Tucker, 2438 and 2934.
Flowerdale—Question by Mr. Hunt, 1519.
Footscray Powder Magazine—Question by Mr. Woods, 470.
Forests—Question by Mr. Williams, re Gun-
bower, 1285; statement by Major Smith, re closing of Ballarat and Creswick State forest, 1477; by Mr. C. Young, 1478; dis-
cussion thereon, 1479; question by Mr. Berry, re destruction of ironbark trees, 2908.
(See State Forests Bill; also Land Law, Administration of.)

FRANCIS, Mr. J. G. (Warrnambool)
Budget, 563, 681, 696, 704, 708, 711, 714, 879, and 912.
Christmas Holidays, 2908.
Creswick Mining Disaster, 2996.
"Cup" Day, 2237.
Defence of the Colony, 805.
Disputed Votes, 819.
Governor’s Speech, 15 and 254.
Hawthorn Railway Collision, 2700, 2746, and 2804.
Irish Question—Conduct of Members, 528, 547, 549, 551, 552, 669, 902, 595, 623, and 624.
Land Acts Continuation and Amendment Bill, 2203.
Loans Redistribution Bill, 2312, 2366, 2394, 2457, and 2511.
Melbourne Harbour Trust Act Amendment
Bill, 1942.
Melbourne Tramway and Omnibus Company’s
Bill, 929.
Mr. W. J. Clarke, 980.
Mr. Longmore, 1355.
Mr. McCall, 218.
FRANCIS, Mr. J. G. (continued)—
Order of Business—Land Bill v. Railway Bill, 1081.
Parliamentary Costs—Taxing Officer, 2182.
Political Assassinations in Ireland, 204.
Railway Ballast Contracts, 641.
Railway Construction Bill, 1130, 1377, 1472, 1617, 1524, 1612, 1614, 1644, 1671, 1691, 1758, 1774, 1789, 1791, and 2143.
Railway Department—Eight Hours System, 841; Steel Rails and Fishplates, 1539.
Railway Loan (1881) Application Bill, 2285.
Tobacco Duties, 670.
Temporary Advances (Railways) Bill, 1216 and 2288.
Trade Unions Bill, 1577.
Western Ports—Harbour Improvements, 2100 and 2183.
Yarra Bank Lands, 1382 and 1538.
Yea Railway, 1492.

FRASER, Mr. J. G. (continued)—
Order of Business—Land Bill v. Railway Bill, 1081.
Hawthorn Railway Collision, 2672.
Irish Question—Conduct of Members, 458.
Loans Redemption Bill, 2364 and 2366.
Railway Department—Wool Rates, 95; Budget, 969, 975, 1055, 1389, 1535, 1603, 1607, 1618, 1638, 1705, and 1859.
Railway Department—Eight Hours System, 1271; Special Train to Mount Difficult, 2034 and 2269.
Railway Works—Expenditure under Loans, 1446.
Standing Orders Committee's Report, 941 and 942.
University Reserve, 58, 395, and 1262.
Vaccination, 2788 and 2876.
Water Supply—Grants to Water Trusts, 791; Northern Plains, 2097.
Wattle Planting, 1464.

Geary, Mr. Joseph—Case of—Question by Major Smith, 2289; statement by Mr. Grant, 2289; discussion thereon, 2290; papers ordered, on motion of Major Smith, 2291; produced, 2408 and 2521; questions by Major Smith, 2293, 2438, and 2706; by Dr. Quick, 2504; by Mr. Richardson, 2549.
Geelong District Vine Disease Act Amendment Bill. (See Vine Disease Act Amendment Bill.)
Geelong: Representation of—Death of Mr. Kernot announced, 8; election of Mr. Connor announced, 8; Mr. Connor introduced and sworn, 8.
General Sessions—Message from Legislative Council requesting concurrence in an address to the Governor, for the court of general sessions for the central bailiwick to be held at Alexandra, 2395; motion for concurrence in the address proposed and agreed to, 2944.

GIBB, Mr. James (Mornington)
Railway Construction Bill, 1134, 1274, 1284, and 2076.

GILLIES, Mr. Duncan (Rodney)
Administration of the Land Law—Alleged Dummy Cases, 1294; 110th Section Reserves, 1406.
Budget, 969, 707, 711, and 712.
Chairman of Commissions, 948 and 1378.
Christmas Holidays, 2910.
Council Electors (Licensees Qualifying) Bill, 1029 and 1031.
Creswick Mining Disaster, 2888.
"Cup" Day, 2236.
Hawthorn Railway Collision, 2272.
Irish Question—Conduct of Members, 458.
Loans Redemption Bill, 2364 and 2365.

GARDINER, Mr. John (Carlton)
Budget, 969.
Carlton Post-office, 18, 972, 1402, 1619, and 1629.
Carlton Quarry Holes, 18 and 1402.
Colburn Railway, 1037.
Council Electoral Rolls, 1927.
Council Supplementary Rolls (1882) Bill, 1935.
Defence of the Colony, 819.
Employés in Shops Commission, 509.
Governor's Speech, 301.
Hansard, 1148.
Hawthorn Railway Collision, 2702.
Irish Question—Conduct of Members, 560 and 623.
INDEX.

GILLIES, Mr. DUNCAN (continued)—
Melbourne Tramway and Omnibus Company's Bill, 472, 565, 597, 917, 919, 923, 924, 1596, 1717, 1783, 2036, 2116, 2270, 2273, 2274, 2276, 2278, 2276, 2279, 2292, 2354, 2356, 2483, 2492, 2493, 2551, 2021, 2026, 2717, 2718, and 2910.
Mr. Deakin, 1352.
Murray River, 1328.
Notice-paper—Alteration of Questions, 1034 and 1564.
Privilege—The Scarborough Estate, 1352; Mr. Sprigg, 2546.
Public Licences—Special Districts, 487.
Public Finances, 753.
Railway Ballast Contracts, 382 and 390.
Railway Construction Bill, 1128, 1302, 1305, 1377, 1378, 1386, 1514, 1606, 1631, 1632, 1639, 1641, 1683, 1693, 1710, 1715, 1772, 1852, 2131, 2182, 2142, and 2154.
Railway Department, 752 and 755; Appointment of Employes, 2672 and 2836.
Rainfall in Victoria, 1716.
Sandhurst Lands Vesting Bill, 741.
Temporary Advances (Railways) Bill, 1205 and 1283.
The late Clerk of the Assembly, 397.
Trades Unions Bill, 1574.
Votes on Account, 2497.
Yarra Bank Lands, 1381.
Yea Railway, 1492.

Gippsland Lakes, Entrance to—Questions by Mr. McKeen, 22, 1769, and 2788; subject discussed in connexion with Railway Loan (1881) Application Bill, 2231.
Gisborne Railway Station—Return ordered, on motion of Mr. Munro, 2388; produced, 2935.
Gold and Silver Plate—Question by Mr. Blackett, 1963.
Gordon, Mr. (See Water Supply.)
Gordon, Mrs. Julia. (See Yarra Bank Lands.)
Government Advertising—Return ordered, on motion of Mr. Mirams, 1769; further return ordered, on motion of Mr. Mirams, 1979; produced, 2291.
Government Ammunitions and State Life Assurance—Question by Mr. Tucker, 2438.
Government Printing-office—Question by Mr. Pearson, 398; by Mr. Langridge, 421; by Mr. Woods, 977; by Mr. Mason, 1040; by Mr. Gardiner, 1202 and 1296. (See Debentures, Numbering.)
Governor, His Excellency the (the Most Honorable the Marquis of Normanby, G.C.M.G.)—Motion by Mr. Blackett for address in reply to speech, 9; seconded by Mr. Connor, 13. First Night's Debate—Mr. Berry, 22; amendment proposed by Mr. Berry, condemning the administration of the departments, "especially in sending orders to England for railway plant and water pipes," 29; Mr. C. Young, 29; Mr. Patterson, 35; Mr. Bent, 37; Mr. Richardson, 50. Second Night—Mr. Longmore, 59; Mr. Wheeler, 66; Mr. Fisher, 70; Mr. Graves, 75; Mr. Williams, 78; Mr. Levien, 87. Third Night—Major Smith, 96; Mr. Burrowes, Governor's Speech (continued)—101; Mr. Woods, 105; Mr. Pearson, 119; Mr. Fincham, 126. Fourth Night—Mr. Langridge, 132; Mr. Walker, 139; Mr. Wrixon, 165. Fifth Night—Mr. Zos, 174; Mr. Davies, 177; Mr. McIntyre, 193; Mr. Hall, 190; Mr. McColl, 197. Sixth Night—Mr. McColl, 210; Mr. McLean, 222; Mr. Mirams, 226; Mr. Walsh, 237; Mr. Dow, 240. Seventh Night—Mr. R. Clark, 248; Mr. Francis, 254; Mr. Laurens, 256; Mr. Harris, 260; Mr. Deakin, 263; Mr. Bolton, 269; Mr. Barr, 272; Mr. Anderson, 276. Eighth Night—Mr. James, 281; Mr. Beazley, 285; Mr. W. M. Clark, 259; Mr. Nimmo, 290; Mr. Bowman, 295; Mr. Cooper, 297; Mr. O'Callaghan, 299; Mr. Gardiner, 301; Mr. Bell, 303; Mr. Officer, 304; Mr. Hall, 303; Sir Bryan O'Loughlin, 306; Mr. Wilson, 317. Amendment negatived, 317; motion for address agreed to, 418; committee appointed to prepare address, 418; address brought up, 318; adopted, 319; His Excellency's answer, 320.
Governor's Messages—Re attempted assassination of the Queen, 419; transmitting Estimates, 435; intimating that His Excellency has given the Royal assent to certain Bills, 916, 1148, 1402, 1487, 2020, 2458, 2580, 2710, 2907; re Land Acts Continuation and Amendment Bill, 916; re Railway Construction Bill, 916; re Temporary Advances Bills, 1094 and 2368; intimating that the Council Elections (1882) Act Amendment Bill has been reserved for the signification of the Queen's pleasure thereon, 1148; re Assembly's address as to attempted assassination of the Queen, 1475; transmitting papers re position and emoluments of officers of the Legislative Council, 1848; re address to the Queen on the British victories in Egypt, 1848 and 2458; re Irish question—conduct of members, 2180; re Loans Redemption Bill, 2299; re Railways Management Bill, 2907; re Expiring Laws Continuation and Amendment Bill, 2907.
Grampian Stone. (See Parliament House.)

GRANT, Mr. J. M., Chief Secretary and Minister of Public Instruction (The Avoea) Amendment of the Factory Act, 886, 2101, and 2509.
Contagious Diseases Hospital, 95.
Coranderrk Aboriginal Station, 134, 246, 360, and 703.
Council Electoral Rolls, 563, 564, 764, and 2033.
Council Electors (Licensees Qualifying) Bill, 1567.
"Cup." Day, 2238.
Dr. Edward Barker, 1792, 1927, and 1953.
Electors' Rights, 591.
Expiring Laws Continuation and Amendment Bill, 2922.
Flowerdale, 1519.
Hawthorn Railway Collision, 2742 and 2808.
Indecency on the Yarra, 2738.
Industrial Schools, 2965.
Land Acts Continuation and Amendment Bill, 2557.
Lunatic Asylums—Kew, 1596; Yarra Bend, 1223.
Mr. J. M. (continued)—
Melbourne Gaol, 138 and 2808; Warders, 1424 and 1519.
Melbourne Tramway and Omnibus Company's Bill, 2222.
Mr. Joseph Geary, 2280, 2290, 2335, and 2439.
Order of Business—Land Bill v. Railway Bill, 1077.
Parliament House—Sentinel's Box, 886.
Places of Public Resort—Means of Egress, 58; St. George's Hall, 2876, 2905, and 2933.
Police—Constable Quilter, 246; Detective Order
Cigar Registrars—Majorca, 174; Collingwood, 694; Police
Parliament Police—Constable Quilter, 246; Detective
Railway Construction Bill, 1525, 1713, 1774, 320.
Cigar Manufacture—Licence Fees, 320.
Grattan Address. (See Irish Question.)
Graves, Mr. J. H., Minister of Trade and Customs (Delatite)
Assault on the High Seas, 2063.
Bad Spirits, 16.
Barley, 661.
Beer Duty, 171.
Budget, 849 and 858.
Cigarettes, 422.
Water Supply—Strathfieldsaye, 1027.
Wattle Planting, 1462.
Wrecks on the Gippsland Coast, 481.
Gumboowar State Forest. (See Forests.)
Graves, Mr. J. H. (continued)—
Complaint by Seamen, 2208 and 2261.
Customs-house—Inspector of Stock, 222.
Customs Department—Sale of Seizures, 17; Smuggled Chinese Goods, 96; Drawbacks, 126; Revenue Returns, 173 and 246; Imports and Exports, 471; Mr. Reynolds, 764; Importation of Stereotype, 943; Duty on Show Cattle, 1256; Exportation of Scrap Iron, 1423, 2205, 2291, and 2292; Mr. W. Shuttleworth, 1494 and 1494; Shed Protection, 1926; Dutiable Goods from Sydney, 2114; Extra Weigher, 2935.
Defence of the Colony, 1022.
Explosives, 20, 394, 1477, and 1954.
Footscray Powder Magazine, 470.
Governor's Speech, 75.
Hares, 1286.
Hawthorn Railway Collision, 2757 and 2847.
Inland Bonding Warehouses, 96.
International Fisheries Exhibition, 976.
Jolimont Railway Accident, 120.
Lake Tyers, 638.
Land Acts Continuation and Amendment Bill, 2204 and 2724.
Land Dispute at Coomoora, 1154.
Loans Redemption Bill, 2346.
Melbourne Harbour Trust Act Amendment Bill, 2706.
Melbourne Harbour Trust—Deposit of Silt, 1503.
Melbourne Tramway and Omnibus Company's Bill, 1922 and 2213.
Merrickville Marine Service Bill, 404.
Minning Companies' Calls and Forfeitures Validating Bill, 2609.
Mr. Elsdon, 120.
Mr. E. H. Hargreaves, 1433.
Mra. Harriet Norgate, 2065 and 2115.
Moira and Maudangrag, 972.
Port Albert, 1519 and 1520.
Public Health Law Amendment Bill, 404.
Public-houses—Special Districts, 487; Inspectors, 2549.
Railway Ballast Contracts, 375.
Railway Brakes, 394.
Railway Construction Bill, 1056, 1126, and 1354.
Railway Department—Heroism of a Gatekeeper's Daughter, 420; Accident at Murrumbeena, 469; Unpunctuality of Suburban Trains, 394 and 470; Gatekeepers—Horsham Line, 470; Eight Hours System, 849; Water Trains, 886; Sidings at Marcus Hill and Pettavel, 1977; Cattle Yards at Drysdale, 1977; Railways authorized by the Act of 1880—Yea, 394; Kerang, 470, 488, and 564; Camperdown, 524; Mirboo, 564.
Reading of Letters in Debate, 2669, 2710, and 2713.
St. George's Hall, 2906.
Stock Tax, 471 and 2064.
Tax Act Regulations, 1423.
The Cerebrus, 802.
The Potosi, 2706.
Water Supply—Strathfieldsaye, 1027.
Wattle Planting, 1462.
Wrecks on the Gippsland Coast, 481.
Gunn, Francis—Complaint of—Statement by Mr. Longmore, 2409; by Mr. Young, 2410 and 2464; discussion thereon, 2410.
INDEX.

HALL, Mr. G. W. (Moira)
Barley, 661.
Budget, 575.
Christmas Holidays, 2915.
Cigar Manufacture—Licence Fees, 320.
Council Electoral Rolls, 668.
Governor's Speech, 190.
Importation of Stereotype, 943.
Irish Question—Conduct of Members, 607.
Land Acts Continuation and Amendment Bill, 2639.
Liquor Traffic—Local Option, 1876.
Maryborough Water Trust, 193, 305, 731, and 762.
Melbourne Harbour Trust—Deposit of Silt, 1509.
Melbourne Tramway and Omnibus Company's Bill, 1096, 2129, 2523, and 2916.
Mr. James McLean, 1438, 2043, 2940, and 2943.
Mr. W. Shuttleworth, 1498.
Parliament House—Stone for West Front, 2481.
Postal Department—Trade Circulars, 523; Post and Telegraph Office at Lake Rowan, 1229.
Private Members' Business, 170.
Privilege—Mr. Spigg, 2548.
Public Instruction—School Books, 174; Administration of the Education Department, 450 and 447; School at Nagambie, 409; Erection of School Buildings, 2183 and 2412.
Railway Ballast Contracts, 387.
Railway Construction Bill, 1053, 1055, 1343, 1394, 1741, 1752, 1816, 1835, and 1911.
Railway Department—Water Trains, 886; Siding near Moonee, 1229; Eight Hours System, 1267; Pay of Junior Officers, 1489; Siding at Balmatium, 1489; Curves on the North-Eastern Line, 1898; Refreshment Rooms, 2205.
Reading of Letters during Debate, 2636, 2669, 2711, 2714, and 2840.
Standing Orders Committee's Report, 938 and 942.
Tea Duty, 2493.
Water Supply—Grants to Water Trusts, 790; Broken Creek, 944, 970, 976, 1040, 1066, and 1542.
Wangunyah Bridge, 562.
Yarrawonga Railway, 1229.

HANSARD—Question by Mr. Gardiner, 1148; statement by Mr. Gardiner, on motion for the adjournment of the House, 1149.
Harbour Improvements. (See Melbourne Harbour Trust also Western Ports.)
Hares—Question by Mr. Harris, 1285.
Hargreaves, Mr. E. H.—Case of—Motion by Mr. R. Clark for select committee, 746; debated, 746; debate adjourned, 746; resumed, 1429; motion negatived, 1450.

HARPER, Mr. ROBERT (E. Bourke)—Introduced and sworn, 669.
Budget, 714 and 897.
Council Electors (Licensees Qualifying) Bill, 1564.
Defence of the Colony, 817.

HARPER, Mr. Robert (continued)—
Federation, 1660.
Hawthorn Railway Collision, 2690.
Loans Redemption Bill, 2416.
Mr. E. H. Hargreaves, 745.
Mordialloc Railway, 943 and 944; Alteration of Questions, 1052 and 1056.
Railway Construction Bill, 1001, 1055, 1351, 1539, 1638, 1694, 1737, 1854, 1858, 2107, and 2159.
Railway Department—Kensington-hill, 2504.

HARRIS, Mr. Joseph (St. Kilda)
Coranderrk Aborigineal Station, 368.
Defence of the Colony, 815.
Disease in Vines, 751.
Dynamite Explosion at Prahran, 422.
Governor's Speech, 260.
Hares, 1285.
Melbourne Tramway and Omnibus Company's Bill, 583, 926, 2212, 2382, 2444, and 2622.
Mr. G. Bordonon, 2009.
Parliament House—Stone for West Front, 2472.
Police, 885.
Railway Construction Bill, 990, 1123, 1253, 1298, 1391, 1421, 1674, 1682, 1700, 1747, 1782, 1905, and 2073.
Railway Department—Windsor and Melbourne Trains, 2009.

Hawthorn and Lillydale Railway—Questions by Mr. Walker, 135, 279, and 280; by Sir John O'Shanassy, 559.
Hawthorn Railway Collision. (See Railway Collision.)
Hobson's Bay Railway—Return ordered, on motion of Mr. Mirams, 370; produced, 1450.
Hobson's Bay Railway and Bendigo Waterworks Debentures Redemption Bill—Framed in committee on Loans Redemption Bill, 2610; read third time, 2522.
Hours of Sitting. (See Sessional Arrangements.)

HUNT, Mr. THOMAS (Kilmore and Anglesea)
Ballinwicks Boundaries Act Amendment Bill, 1264.
Flowerdale, 1519.
Hawthorn Railway Collision, 2363.
Irish Autonomy, 8.
Mr. Patterson, 2683.
Personal Explanation, 36.
Police—Bourke District, 524; Constables Crowe and Westcott, 2932.
Railway Construction Bill, 998, 1386, 1412, and 1690.
Railway Department—Manufacture of Locomotives, 57; Labourers' Wages, 2233.
Yea Railway, 321, 304, and 1398.

Imports and Exporta. (See Customs Department.)
Indecency on the Yarra—Question by Mr. Zox, 2738.
Industrial Schools—Question by Mr. Zox, re transfer of children to Immigrants' Home, 2968; papers ordered, on motion of Mr. Zox, 2101.
Inscribed Stock Bill—Framed in committee on Loans Redemption Bill, 2508; read third time, 2522.

Intercolonial Reciprocity—Question by Mr. Mac Mahon, re Court of Queen's Bench, 564; by Dr. Quick, re law and medicine, 1261.

International Fisheries Exhibition—Question by Mr. Connor, 975.

Irish Immigration—Question by Mr. Patterson, 1697.

Irish Question—Conduct of Members—Question by Mr. Patterson, re "document forwarded to the Prime Minister of Ireland, and bearing the signatures of five members of this House," 447; statement by Sir Bryan O'Loghlen, 448; motion by Mr. Longmore for the adjournment of the House, 448; negatived, 450; motion by Mr. Carter that the Speaker do leave the chair, 451; subject raised by Mr. Patterson's question debated by Mr. Duffy, 451; Mr. O'Callaghan, 454; Mr. Brophy, 454; Mr. Toohey, 454; Mr. Pearson, 455; Sir John O'Shanassy, 456; Mr. Gilles, 458; Mr. Patterson, 458; Mr. Bent, 459; Mr. Munro, 460; Mr. Richardson, 461; Mr. Bowman, 463; Sir Bryan O'Loghlen, 464; Mr. Berry, 466; Mr. Levien, 468; Mr. Carter's motion negatived, 468; statements by Sir John O'Shanassy, 471 and 482; by Mr. Bowman, 482; by Sir Bryan O'Loghlen, 555; motion by Mr. Patterson, expressing disapproval of the conduct of certain members of the Assembly in appending their signatures to a document entitled "an address of the Irish in Victoria to the Irish in Ireland," 525; previous question moved by Mr. Francis, 529-92; subject debated by Mr. Officer, 532; Mr. Nimmo, 533; Mr. Longmore, 533; Mr. Berry, 537; Mr. Duffy, 538; Major Smith, 540; Mr. McIntyre, 541; Mr. Wrixon, 543; Mr. Deakin, 544; Mr. Kerferd, 547; Mr. Pearson, 548; Mr. Fraser, 549; Mr. Richardson, 550; Mr. R. Clark, 553; Mr. Berr, 553; Mr. Zox, 554; Mr. McColl, 555; Mr. Fisher, 555; Mr. Macgregor, 556; Mr. O'Shanassy, 557; Sir Bryan O'Loghlen, 557; Mr. Munro, 559; Mr. Gardiner, 560; Mr. Laurens, 560; Mr. Mirams, 560; amendment carried, 561; motion by Mr. Francis declaring that the House, while regretting that the address "should have been signed by certain of its members, accept their assurances of loyalty," 592; debated by Mr. Officer, 593; amendment by Mr. Berry for adoption of address to Mr. Gladstone, 593; debate continued by Mr. Patterson, 595; Sir Charles MacMahon, 596; Sir Bryan O'Loghlen, 598; Sir John O'Shanassy, 600; Mr. Wrixon, 604; Mr. Pearson, 606; Mr. James, 606; Mr. Hall, 607; Mr. Longmore, 609; Mr. Nimmo, 611; Mr. Walker, 613; Mr. Davies, 615; Mr. Laurens, 616; Mr. Blackett, 617; Mr. Langridge, 617; Mr. Bosisto, 618; Mr. Fisher, 619; Mr. Connor, 620; Mr. Bent, 620; Mr. Zox, 621; Mr. Munro, 622; Mr. Wilson, 622; Mr. Wheeler, 622; Mr. Deakin, 623; Mr. Macgregor, 623; Mr. Gardiner, 623; amendment negatived, 624; addition to motion proposed by Mr. Munro to amended to motion as amended, carried, 624; despatch from the Secretary of State for the Colonies acknowledging receipt of address, 2180.

Irrigation—Motion by Mr. McColl, re irrigation of the Northern and Western Plains, 796; negatived, 798; questions by Mr. Deakin, re Bacchus Marsh, 825, 856, and 1065; by Mr. McColl, re Gunbower and Wee-wee-rup districts, 1868 and 2551; re Cohuna, 2394 and 2551; re Northern Plains, 2521; return ordered, on motion of Mr. McColl, 2582.

JAMES, Mr. John (Ballarat East)
Amendment of the Electoral Law, 1717.
Budget, 907.
Creswick Mining Disaster, 2507 and 2589.
"Cup" Day, 2236.
Forest Conservation, 1479.
Governor's Speech, 281.
Hawthorn Railway Collision, 2589.
Irish Question—Conduct of Members, 557 and 606.
Land Acts Continuation and Amendment Bill, 2726.
Liquor Traffic—Local Option, 1179.
Parliament House—West Front, 563.
Publicans' Licences—Special Districts, 487.
Railway Ballast Contracts, 642.
Railway Construction Bill, 1000, 1238, 1302, 1338, 1597, 1579, 1681, 1892, 1910, and 2083.
Railway Department—Ballarat Trains, 209; Eight Hours System, 1272; Regulation of Mines Statute, 2767.
Standing Orders Committee's Report, 941.
Temporary Advances (Railways) Bill, 1201 and 1238.
Tattle Planting, 1460.

Judicature Bill—Question by Mr. McKeen, 17; by Mr. Robertson, 523; by Mr. Fisher, 630.
Kelly Reward Fund—Question by Major Smith, re Mr. Curnow, 695.
Kensington-Till—Purchase of filling-up material by the Railway department—Statement by Mr. Berry, 2292; by Mr. Bent, 2293; subject discussed in Committee of Supply, 2496. (See Railway Department.)
Kerang Police Court—Question by Mr. Fisher, 2589.
Kerang Post-office—Question by Mr. Williams, 209; by Mr. Fisher, 1459; by Mr. McColl, 234.
Kerang Railway—Questions by Mr. Fisher, 488 and 1570; by Mr. Williams, 17 and 554; by Mr. R. Clark, 2463.

Kerfoot, Mr. G. B. (The Ovens)
Administration of the Land Law—Alleged Dummy Cases, 1286 and 1291; 110th Section Reserves, 1403 and 1405.
Asking Questions, 2145.
Assault on the High Court, 2262.
Ballarick Boundaries Act Amendment Bill, 1285.
Budget, 697, 707, and 903.
Cemeteries Statute Amendment Bill, 1567, 1579, 1560, and 1585.
Christmas Holidays, 2908 and 2914.
Coburg Railway, 1060.
Council Electoral Rolls, 667.
Council Electors (Licences Qualifying) Bill, 1309 and 1558.
Creswick Mining Disaster, 2589.
"Cup" Day, 2236.
Death of Mr. Ramsay, 391.
KERFERD, Mr. G. B. (continued)—
Defence of the Colony, 794 and 1019.
Disease in Vines, 751.
Dr. Edward Barker, 1793 and 1947.
Exhibition Building, 1032.
Expiring Laws Continuation and Amendment Bill, 2922.
Federation, 2381.
Floating of the £4,000,000 Loan, 2615.
Forest Conservation, 1479.
Gippsland Lakes, 1625.
Hawthorn Railway Collision, 2700.
Irish Question—Conduct of Members, 547 and 596.
Irrigation, 798.
Land Acts Continuation and Amendment Bill, 400.
Liquor Traffic—Local Option, 1177.
Loans Redemption Bill, 2316, 2319, 2338, 2391, 2420, 2461, and 2507.
Married Women's Property Act Amendment Bill, 2036.
Melbourne Tramway and Omnibus Company's Bill, 577, 919, 921, 1095, 1735, 1800, 1900, 1996, 2123, 2222, 2224, 2378, 2380, 2385, 2441, 2353, 2627, 2616, 2618, and 2716.
Melbourne Harbour Trust—Deposit of Silt, 1507.
Mining Companies' Calls and Forfeitures Validating Bill, 1810, 1888, and 2111.
Mr. Elsdon, 143.
Mr. E. H. Hargreaves, 749, 1429, and 1430.
Mr. MacBain, 2339.
Municipal Elections, 1350.
New Law Courts, 1476, 1625, and 2408.
North-Eastern Railway, 1032.
Notice-paper—Alteration of Questions, 1032 and 1564.
Order of Business, 2184 and 2549.
Parliamentary Costs—Taxing Officer, 2180 and 2182.
Personal Explanation—Mr. Munro and Mr. C. Young, 729.
Petition in Debate, 1117.
Privilege—Dr. Madden and the Age, 1357; Mr. Sprigg, 2547.
Publicans' Licences—Special Districts, 484.
Public Finance, 753 and 2492.
Public Instruction—Erection of Schools, 2205 and 2411.
Public Service, 1370 and 2207.
Railway Ballast Contrackte, 143 and 2581.
Railway Construction Bill, 988, 1307, 1465, 1523, 1601, 1605, 1640, 1677, 1690, 1739, 1747, 1757, 1775, 1825, 2033, 2053, and 2182.
Railway Department—Cattle Trucks, 1147; Eight Hours System, 1209; Kensington-hill, 2504.
Railways Management Bill, 2768.
Reading of Letters in Debate, 2712.
St. George's Hall, Melbourne, 2906.
Sandhurst Lands Vesting Bill, 474.
Sandhurst Public Buildings Sites Bill, 583.
Statute of Trusts Amendment Bill, 2703, 2719, and 2720.
Sunbury Lunatic Asylum—Mr. Baldwin's Disservice, 1453.
Temporary Advances (Railways) Bill, 1206, 1295, 1257, and 1244.
The late Clerk of the Assembly, 396.

Kew Lunatic Asylum. (See Lunatic Asylums.)

KEYS, Mr. JOHN (S. Bourke)
Railway Construction Bill, 1120, 1125, and 2103.

Koo-woo-ree Swamp, Reclamation of—Proposal discussed in committee on the Railway Construction Bill, 1769, 1812, and 1822; on consideration of report, 2029, 2053, and 2065; question by Mr. McColl, 2291.

Labour Traffic in the Pacific Islands—Question by Mr. Woods, 2336.

Lake Tyers—Question by Mr. Anderson, 630.

LAORA, Mr. PETER (Grant). (See The Hon. the Speaker.)

Land Acts Continuation and Amendment Bill—Motion for leave to introduce, proposed by Mr. W. Madden, 398; debated, 308-403; agreed to, 403; Bill brought in, and read first time, 403; second reading moved by Mr. W. Madden, 474; Governor's message brought down, 916; considered in committee, 945; resolution for an appropriation agreed to, 945; reported and adopted, 978; order for resuming debate on second reading of Bill postponed, 1067-91 and 2108. First Night's Debate—Mr. Richardson, 2190. Second Night—Mr. Mirams, 2224. Third Night—Mr. W. Madden, 2238; Mr. Mirams, 2239. Fourth Night—Mr. Connor, 2253; Mr. McLean, 2356. Fifth Night—Mr. Pearson, 2551; Mr. Grant, 2577; Mr. Nimmo, 2281; Mr. Blackett, 2564; Mr. McColl, 2570. Sixth Night—Mr. McColl, 2583; Mr. O'Callaghan, 2588; Mr. Officer, 2590; Mr. Deakin, 2593; Mr. McIntyre, 2600. Seventh Night—Mr. Berry, 2624; Sir Bryan O'Loghlen, 2533; Mr. Bolton, 2535. Eighth Night—Mr. Bolton, 2630; Mr. Hall, 2639; Mr. W. Madden, 2644; Mr. Walker, 2649; Mr. Anderson, 2650; Mr. Patterson, 2653; Mr. Cooper, 2657; Mr. Longmore, 2662. Ninth Night—Mr. James, 2720; Mr. Graves, 2724.

Land, Aurifersous—Rent of—Question by Mr. Wilson, 16.

Land Law, Administration of—Question by Mr. Levien, re objection to selections raised by the Railway department, 398; return re payments by selectors ordered, on motion of Mr. Mirams, 399; produced, 796; return re James O'Donoghue's selection at Gre Gre ordered, on motion of Mr. Dow, 396; question by Mr. Dow, 421; by Mr. Richardson, re Miss Crotty, Coomoora, 421; statement by Mr. Richardson, on motion for the adjournment of the House, 1150; debated, 1151; question by Mr. Richardson, 1743; further statement by Mr. Richardson, 2492; by Sir Bryan O'Loghlen, 2493; question by Mr. Longmore, re sale of 110th section areas, 488;
LAND LAW, Administration of (continued)—
statement by Mr. W. Madden, 524; question by Mr. Williams, re selectors' rents, 564; by Mr. McColl, re alleged dummy cases—Echuca inquiry, 694, 1115, 1370, and 2403; statement by Mr. Longmore, re selectors' water frontages, 1063; question by Mr. Dow, re land at Yawong, 1065; statement by Sir Bryan O'Loghlen, re selectors' water frontages, 1063; question by Mr. McKean, re Luke Murphy's selection, 1150; by Mr. Williams, re frontages to Lake Elizabeth, 1174; by Mr. Anderton, re land at Turrenberry, 1202; by Mr. Dow, re 110th section block at Beazley's Bridge, 1229 and 1403; by Mr. Williams, re alleged dummy cases—Echuca inquiry, 1263; statement by Mr. McColl, 1286; discussion thereon, 1287; question by Mr. Richardson, re land at Glenover, 1303; statement by Mr. Dow, re 110th section block at Beazley's Bridge, 1403; discussion thereon, 1403; question by Mr. McColl, re forfeited lands at the Terricks, 1106; by Mr. Blackett, re James O'Donoghue's selection, 1446; by Major Smith, re illegal fencing, 1791; by Mr. Fisher, re J. G. O'Miller, 2100; by Mr. McColl, re Lake Gannon, 2115; re Lake Boga, 2289; statement by Mr. W. Madden, 2289; by Mr. Longmore, 2289; re 103rd section block at Beazley's Bridge, 1403; re Mr. Mirams, 2295; produced, 2295; question by Mr. Mirams, 2295; by Major Smith, re residence areas at Queenscliff, 2738; statement by Mr. W. Madden, 2738; by Major Smith, 2941; by Mr. Fincham, re timber reserve—land at Wombat, 2932; statement by Mr. W. Madden, 2932; discussion thereon, 2932; statement by Mr. Longmore, during consideration of Expiring Laws Continuation and Amendment Bill, 2935; by Mr. W. Madden, 2940. (See Yarra Bank Lands.) Lands Department—Motion by Mr. Duffy, for report re defalcations of late Accountant, agreed to, 423; report produced, 2703. (See McLean, Mr. James.)

LANDON, Mr. Thomas (The Avoca)
Bag Tax, 1509.
Election Provinces—Polling Places, 1645.
Newspaper Postage, 279.
Railway Construction Bill, 1002, 1305, 1378, 1392, and 1707.
State Schools—Water Tanks, 1518.
Water Supply, 2464; United Looion Water Trust, 2907.

LANGRIDGE, Mr. G. D. (Collingwood)
Administration of the Land Law—Alleged Dummy Cases, 1287.
Alphington Railway, 699, 1519, and 1550.
Christmas Holidays, 2013.
Coburg Railway, 1038 and 1061.
Coranderrk Aboriginal Station, 368.
Council Electors (Licensees Qualifying) Bill, 1565.
"Cup " Day, 2235.
Defence of the Colony, 795, 806, and 808.
Dredging Operations, 1625.
 Fire Brigade Accident—Constable Barrett, 1174.
Forest Conservation, 1480.

LANGRIDGE, Mr. G. D. (continued)—
Government Printing-office, 421.
Governor's Speech, 152.
Hawthorn Railway Collision, 2695, 2767, and 2866.
Irish Question—Conduct of Members, 617.
Liquor Traffic—Local Option, 1179.
Melbourne Tramway and Omnibus Company's Bill, 573, 922, 1602, 2131, 2209, 2212, 2224, 2270, 2273, 2376, 2378, 2380, 2383, 2386, 2440, 2442, 2446, 2229, 2351, 2617, 2717, and 2718.
Mr. Francis Gunn, 2410.
Mr. E. H. Hargreaves, 1432.
Mr. W. Shuttleworth, 1497.
Privilege—Mr. Sprigg, 2248.
Publicans' Licences—Special Districts, 454.
Queenscliff Drill Room, 1794.
Railway Ballast Contracts, 145 and 399.
Railway Brakes, 323.
Railway Construction Bill, 1051, 1055, 1119, 1278, 1365, 1388, 1393, 1395, 1515, 1598, 1607, 1673, 1705, 1744, 1778, 1818, 1851, 2055, 2132, and 2169.
Railway Department—Eight Hours System, 1271; Gatotekop's Wagon, 1821 and 1835; Temporary Advances (Railways) Bill, 1157, 1225, and 1226.
Titles-office, 1115.

Larrakia—Question by Mr. Walsh, 1717.

LAURENS, Mr. John (N. Melbourne)
Amendment of the Public Health Statute, 8. Budget, 878, 888, and 1044.
Cemeteries Statute Amendment Bill, 1582.
Coburg Railway, 1570.
Coranderrk Aboriginal Station, 367.
Council Electors (Licensees Qualifying) Bill, 1200 and 1561.
Creeck Mining Disaster, 2988.
"Cup " Day, 2236.
Customs Returns, 172 and 246.
Defence of the Colony, 818 and 1024.
Disease in Vines, 750.
Dr. Edward Barker, 1953.
Floating of the £4,000,000 Loan, 22.
Flood Damages at North Melbourne, 2767.
Governor's Speech, 256.
Hawthorn Railway Collision, 2702.
Irish Question—Conduct of Members, 560 and 616.
Liquor Traffic—Local Option, 1189.
Loans Redemption Bill, 2419.
Melbourne Gael Warders, 1424 and 1519.
Melbourne Harbour Trust—Deposit of Silt, 1507; Melbourne Harbour Trust Act 1945 and 2013.
Melbourne Hospital, 21, 22, 1482, 1625, 1628, and 2146.
LEVIEN, Mr. J. F. (Barwon) (continued)—
Law Department, 2898.
Mr. W. Shuttleworth, 1500.
Railway Ballast Contracts, 371.
Railway Construction Bill, 1131, 1284, 1603, and 1741.
Railway Department—Free Passes, 841; Telegraph Offices at Stations, 1476; Siding at Marcus Hill and Pettavel, 1977; Cattle Yards at Drysdale, 1977.
Road Tolls, 1629.
Standing Orders Committee's Report, 942.
State Nurseries, 279.
Temporary Advanced (Railways) Bill, 1357.
Water Supply to St. Albans, 2903.
Wattle Planting, 1463.

Liquor Traffic—Motion by Mr. Munro, in favour of restricting the issue or renewal of licences for the sale of intoxicating liquors "by some efficient means of local option," 1175; seconded by Mr. Nimmo, 1175; debated by Mr. Kerferd, 1177; Mr. Berry, 1178; Mr. James, 1179; Mr. Langridge, 1179; Mr. Patterson, 1180; Mr. Fraser, 1182; Mr. Mirams, 1182; amendment by Sir Bryan O'Loghlen, for payment of compensation to the owners and licensees of premises refused a renewal of licence, 1183-4; debate continued by Mr. Richardson, 1184; Mr. Mason, 1184; Mr. Wrixon, 1186; Mr. Zox, 1186; Mr. Walsh, 1188; Mr. Laurens, 1189; Mr. Walker, 1189; Mr. Carter, 1190; Mr. L. L. Smith, 1194; debate adjourned, 1194; amendment agreed to, 1876; motion, as amended, carried, 1877. (See Public-houses.)

Loans. The $24,000,000—Floating of—Question by Mr. Laurens, 22; by Mr. Tucker, 1364; by Sir John O'Shanassy, 1401 and 2206; by Mr. Carter, 1977; by Mr. Berry, 2614; statement by Sir Bryan O'Loghlen, 2615; further statement by Sir Bryan O'Loghlen, 2636.

Loans, Expenditure under—Estimate of expenditure re Yan Yean water supply, passed in committee, 1067 and 1957; resolutions reported and adopted, 1099 and 1986; estimates of expenditure re railway works, considered in committee, 1099, 1109, 1438, and 1459; agreed to, 1109, 1110, and 1465; resolutions reported and adopted, 1116 and 1442; estimates of expenditure on erection of State school buildings, passed in committee, 1194-5 and 2923-4; resolutions reported and adopted, 1209 and 2944; estimate of expenditure re loans to local bodies for water supply purposes, considered in committee, 1483 and 1484; agreed to, 1489; resolution reported and adopted, 1510; estimate of expenditure re law courts and Geelong and Coliban water works, passed in committee, 2989-2903; resolutions reported and adopted, 2923.

Loans Redemption Bill—Brought in by Sir Bryan O'Loghlen, and read first time, 404; questions by Sir John O'Shanassy, 794 and 1401; by Mr. Mirams, 1028; Governor's message brought down, 2289; considered in committee, 2295; resolution for an appropriation agreed to, 2295; reported and adopted, 2295; second reading of Bill moved by Sir Bryan O'Loghlen, 2295; debated by Mr. Berry, 3020; Sir John O'Shanassy,
Loans Redemption Bill (continued)—
2307; Mr. Francis, 2312; Sir Bryan O’Loghlen, 2316; Mr. Bent, 2320; debate adjourned, 2320; resumed by Mr. Pearson, 2335; Mr. Kerferd, 2338; Dr. Madden, 2342; Mr. Munro, 2344; Mr. Graves, 2346; Mr. Wrixon, 2343; Mr. Carter, 2349; Major Smith, 2353; Mr. Walsh, 2350; Mr. Shiels, 2357; Mr. Mirams, 2362; Mr. Gilles, 2364; Bill read second time, 2364; considered in committee, 2365, 2389, 2414, and 2449; motion by Sir Bryan O’Loghlen for dividing the Bill into two or more Bills, 2458; debated, 2460; agreed to, 2462; Bill further considered in committee, 2505 and 2519; Bill divided into three measures, 2507–8–10; new Loans Redemption Bill read third time, 2522. (See Hobson’s Bay Railway and Bendigo Waterworks Debentures Redemption Bill; also Inscribed Stock Bill.)

Local Government Laws Amendment Bill—Brought in by Mr. C. Young, and read first time, 405; question by Mr. Mason, 885.

Lock Maree—The—Loss of—Questions by Mr. Mason, 1115; Mr. Kennedy, 1422 and 734.

Lodgers’ Interests Protection Bill—Brought in by Mr. C. Young, and read first time, 405; question by Mr. Donald, 724.

Loiseau, Pilot—Case of—Question by Mr. A. T. Clark, 976; papers ordered, on motion of Mr. A. T. Clark, 1194; produced, 1196.

LONGMORE, Mr. FRANCIS (Ripon and Hampden)—Administration of the Lands Department—110th Section Areas, 488 and 1404; Selectors’ Water Frontages, 1063; Land Dispute at Coomoola, 1153; Alleged Dummy Cases, 1236 and 1258; Lake Bogga, 2259; Mr. Longmore’s Regulations, 2715; Mr. James McLean, 2937.

 Asking Questions, 1033 and 1034.

Assault on the High Seas, 1926, 2061, and 2115.

Budget, 701 and 844.

Closed Roads—Swing Gates, 857; Municipal Endowment, 1509, 1626, 2043, and 2045.

Coburg Railway, 1039 and 1063.

Colac and Camperdown Railway, 524.

Complaint by Seamen, 2208 and 2291.

Coranderrk Aboriginal Station, 365.

Creswick Mining Disaster, 2855.

Defence of the Colony, 811.

Disease in Vines, 792 and 2545.

Dr. Edward Barker, 1768, 1792, 1927, 1946, 1948, 2291, and 2334.

Expiring Laws Continuation and Amendment Bill, 2322 and 2936.

Forest Conservation, 1480.

Gippsland Lakes, 1625.

Governor’s Speech, 59.

Hawthorn Railway Collision, 2748 and 2809.

Irish Question—Conduct of Members, 448, 533, 609, and 624.

Land Acts Continuation and Amendment Bill, 2652.

Maribyrnong Harbour Trust Act Amendment Bill, 1437 and 1937.

Melbourne Hospital, 1628.


Mining Companies’ Calls and Forfeitures Validating Bill, 1746.

Mr. Berry and Mr. Longmore, 978 and 982.

Mr. Campbell, J.P., 2355.

LONGMORE, Mr. FRANCIS (continued)—

Mr. A. T. Clark, 880.

Mr. Francis Gunn, 2409, 2411, and 2464.

Mr. W. Shuttleworth, 1496 and 1499.

Municipal Elections, 1359.

Newspaper Misstatements, 562, 1743, and 1744.

Political Situation—Mr. Berry and Mr. Francis, 95.


Private Members’ Business, 326, 1438, and 1983.

Privilege—The Scarborough Estate, 1356; Mr. Sprigg, 2545 and 2543; Mr. Woods and the Age, 2772.

Publicans’ Licences—Special Districts, 484.

Public Holidays, 2544.

Public Instruction—Tennyson’s New National Song, 247; Deep Creek School, 324; Appointment of Teachers, 524.

Public Service, 2205.

Railway Ballast Contracts, 345, 388, and 656.

Railway Construction Bill, 944, 1123, 1126, 1130, 1377, 1386, 1395, 1397, 1399, 1408, 1416, 1430, 1522, 1556, 1641, 1642, 1690, 1702, 1711, 1738, 1747, 1761, 1771, 1786, 1791, 1812, 1815, 1820, 1822, 1830, 1855, 1861, 1892, 1906, 1911, 2077, 2137, 2141, 2144, and 2154.

Railway Department, 757; Eight Hours System, 840; Sunday Trains, 1793; Exportation of Scrap Iron, 2205, 2291, and 2292; Kensington-Hill Purchase, 2334, 2375, and 2408.

Reading of Letters in Debate, 2714.


Royal Park—Sale of Experimental Farm, 279 and 412.

Sandhurst Lands Vesting Bill, 741.

Tea Duty, 842.

Temporary Advances (Railways) Bill, 1173, 1293, 1220, and 1247.


Trade Unions Bill, 742 and 1675.

Vine Disease Act Amendment Bill, 2703 and 2946.

Water Conservation, 2091.

Yan Yean Water Supply, 1116.

Yarra Bank Lands, 1380, 1382, and 1492.

Lunatic Asylums—Statement by Mr. Deakin, re Mr. Baldwin’s dismissal from Sunbury, 1447; discussion thereon, 1451; questions by Mr. Deakin, 1475 and 1541; questions by Mr. Blackett, re diet of patients at Kew, 1596; by Mr. Bosisto, re Yarra Bend, 1623.

McCull, Mr. Hugh (Mandurang)—Christmas Holidays, 2011.

Council Electoral Rolls, 665.

Council Electors (Licensees Qualifying) Bill, 1563.

Council Supplementary Rolls (1882) Bill, 1935.

Creswick Mining Disaster, 2897.

“Cup” Day, 2235.

Custom-house, 219 and 321.


Foreign Minister, 219 and 210.

Hawthorn Railway Collision, 2655 and 2697.

Irish Question—Conduct of Members, 555.

Irrigation, 796, 798, 1866, 2394, 2251, 2551, and 2582.
INDEX.

MCCOLL, Mr. HUGH (continued)—
Kerang Public Offices, 2334.
Koo-wee-rup Swamp, 2291.
Lake Charm, 1838.
Land Acts Continuation and Amendment Bill, 2204, 2270, and 2283.
Land Department—Alleged Dummy Cases, 694, 1115, 1286, 1976, and 2463; Lake George, 2116; Lake Bogong, 2289.
Melbourne Harbour Trust—Deposit of Silt, 1502; Melbourne Harbour Trust Act Amendment Bill, 1946.
Melbourne Tramway and Omnibus Company’s Bill, 833, 2448, and 2531.
Mining Companies’ Calls and Forfeitures Validating Bill, 2200.
Mr. W. J. Clarke, 980.
Mr. Gordon, 209 and 822.
Municipal Audits—School at Terrick Terrick, 1502; Lake Boga, 2289.
North-Western Order.
Privilege—Dr. Madden and the Age, 1357; Mr. Sprigg, 2547; Mr. Macgregor and the Age, 2786.
Railway Construction Bill, 999, 1118, 1376, 1393, 1420, 1592, 1593, 1917, 1941, 2056, and 2170.
Railway Department—Emerald Hill Fares, 94 and 246; Siding at Emerald Hill, 1263; Suburban Traffic, 1441.
State School Accommodation at Emerald Hill, 1194, 2407, and 2945.
Temporary Advances (Railways) Bill, 1171 and 1512.
Yarra Bank Lands—Mrs. Gordon, 1509.

MCIINTYRE, Mr. JOHN (Maldon)
Budget, 722.
Cemeteries Statute Amendment Bill, 1581, 1582, and 1584.
County Court Judgments, 564.
Creswick Mining Disaster, 2885.
Governor’s Speech, 150.
Irish Question—Conduct of Members, 541.
Land Acts Continuation and Amendment Bill, 2203 and 2600.
Loans Redemption Bill, 2424 and 2426.
Maldon Railway, 321.
Mining Companies’ Calls and Forfeitures Validating Bill, 2110.
Order of Business—Land Bill v. Railway Bill, 1080.
Parliament House—Stone for West Front, 2110.
Privilege—The Age, 2755.
Public Finances, 1629.
Railway Ballast Contracts, 386 and 659.
Railway Construction Bill, 998, 1033, 1057, 1130, 1231, 1301, 1341, 1416, 1603, 1942, 1644, 1657, 1712, 1715, 1741, 1776, 1815, 1821, 1837, 1855, 1908, 1911, 1912, 2024, 2074, 2080, 2105, 2140, and 2167.
Railway Department—Stations on Windsor Line, 470; Eight Hours System, 841 and 1272.
Railway Loan (1881) Application Bill, 2282.
Reading of Letters in Debate, 321, 2669, and 2713.
Richmond City Council—Stone for Streets, 1717 and 1793.
Sandhurst Lands Vesting Bill, 740.
Sandhurst Public Buildings Sites Bill, 659 and 660.
Seed Wheat for Selectors, 469.
Victorian Rivers, 975.
Victoria-street Bridge, 1926.
Water Supply—Serpentine Weir, 133 and 483; Grants to Water Trusts, 732, 751, and 2205; Spring Gully Reservoir, 764; Murray Lakes, 945 and 1424; Broken Creek, 971; Strathfieldays, 1027 and 1978; Crusoe Reservoir, 1040; Serpentine and Kinyipanel Creeks, 1230; Loans to Local Bodies, 1484; Colliban, 1792 and 2412; Northern Plains, 1837, 2094, and 2097; Weirs on the Avoca, 2934; Echuca and Warranga Water Trust, 2934.

MACGREGOR, Mr. ROBERT (Emerald Hill)
Creswick Mining Disaster, 2807.
Defence of the Colony, 1926.
Education Commission, 2407.
Emerald Hill—Pillar Letter Boxes, 394.
Falls Bridge, 2876.
Hawthorn Railway Collision, 2760.
Irish Question—Conduct of Members, 556 and 623.
Melbourne Harbour Trust Act Amendment Bill, 1944.

MACGREGOR, Mr. ROBERT (continued)—
Melbourne Tramway and Omnibus Company’s Bill, 690, 1734, 1963, 2378, 2380, 2383, 2387, 2439, and 2442.
Privilege—Dr. Madden and the Age, 1357; Mr. Sprigg, 2547; Mr. Macgregor and the Age, 2786.
Railway Construction Bill, 999, 1118, 1376, 1393, 1420, 1592, 1593, 1917, 1941, 2056, and 2170.
Railway Department—Emerald Hill Fares, 94 and 246; Siding at Emerald Hill, 1263; Suburban Traffic, 1441.
State School Accommodation at Emerald Hill, 1194, 2407, and 2945.
Temporary Advances (Railways) Bill, 1171 and 1512.
Yarra Bank Lands—Mrs. Gordon, 1509.

MCKEAN, Mr. JAMES (N. Gippsland)
Administration of Justice—The Police, 631.
Administration of the Land Law—Selective Water Frontages, 1064; Luke Murphy’s Selection, 1150.
Admission of Attorneys, 2462.
Appeals against Maintenance Orders, 421.
Chinese, 422.
Coburg Railway, 1062.
Collingwood Electoral Registrar, 694.
Council Electors (Licenses Qualifying) Bill, 1956.
Customs Department—Mr. W. Shuttleworth, 1493.
Dissolution of Parliament, 1097.
Dookie Farm, 1979.
Electoral Provinces—Polling Places, 1645.
Exclusion of Strangers, 1819 and 1820.
Forest Conservation, 1482.
Gippsland Lakes, 22, 1624, 1769, 2283, and 2788.
Hawthorn Railway Collision, 2694, 2749, and 2854.
McKEAN, Mr. JAMES (continued)—
Irish Question—Conduct of Members, 550.
Judicature Bill, 17.
Marital Causes Statute, 133.
Melbourne Gaol, 133.
Melbourne Hospital, 1114.
Melbourne Tramway and Omnibus Company’s Bill, 1095 and 2117.
Mr. Francis Gunn, 2444.
New Law Courts, 1476 and 2522.
Parliament House—Stone for West Front, 2114, 2413, 2474, and 2521.
Personal Explanation, 133.
Postal Department—Robbery of Registered Letters, 2334.
Public Holidays, 2521.
Public-houses—Special Districts, 485; Sunday Trading, 1114.
Public Instruction—Election of Boards of Advice, 469; Erection of School Buildings, 884 and 2923.
Railway Construction Bill, 1418, 1515, 1590, 1603, 1094, 1039, and 1677.
Railway Department—Eight Hours System, 1271.
Railway Loan (1881) Application Bill, 1623.
Temporary Advances (Railways) Bill, 1255.
The late Clerk of the Assembly, 397.
Titles-office, 1596.
Totalisator, 1114.
Trade Marks Statute, 421.
Trade Unions Bill, 1575 and 1577.

McLEAN, Mr. ALLAN (N. Gippsland)
Council Electors (Licenses Qualifying) Bill, 1436.
Gippsland Lakes, 1624 and 2286.
Governor’s Speech, 222.
Land Acts Continuation and Amendment Bill, 2539.
Mr. E. H. Hargreaves, 1431.
Municipal Elections, 1396.
Public Instruction—School at Wurrak Wurrak, 2412; Gippsland, 2924.
Railway Construction Bill, 996, 1122, 1282, 1302, 1407, 1774, and 1818.
Railway Department—Officials’ Cattle, 20.
Railway Loan (1881) Application Bill, 2209.
Railway Workshops, 1441, 1446, and 1510.
Sale Gaol, 2014.

McLean, Mr. James—Case of—Motion by Mr. Fisher in favour of grant of £800, agreed to, 1438; subject referred to during debate on Land Acts Continuation and Amendment Bill, 2630 and 2644; statement by Mr. Longmore, 2937; by Mr. Fisher, 2942; by Mr. Carter, 2943; by Mr. Hall, 2943. (See Letters, Reading of.)

MAC MAHON, Sir CHARLES (W. Melbourne)
Asking Questions, 1035.
Budget, 720.
Expenditure under Loans—Railway Works, 1107.
Hawthorn Railway Collision, 2754 and 2869.
Irish Question—Conduct of Members, 596.
Married Women’s Property Act Amendment Bill, 2038.
Melbourne Harbour Trust Act Amendment Bill, 1944.

MAC MAHON, Sir CHARLES (continued)—
Melbourne Tramway and Omnibus Company’s Bill, 2126, 2279, 2385, and 2916.
Railway Construction Bill, 1111, 1113, 1300, 1391, 1588, 1592, and 1635.
Railway Department—Appointment of Employes, 2792, 2833, and 2836.
Wattle Planting, 1463.

MADDEn, Dr. John (Sandridge)
Betting and Gaming Houses Suppression Law Amendment Bill, 1882 and 1885.
Budget, 700.
Christmas Holidays, 2913.
Closed Roads, 2948.
Council Supplementary Rolls (1882) Bill, 1935.
Criminal Law and Practice Statute Amendment Bill, 888.
“Cup” Day, 2238.
Federation, 1668.
Hawthorn Railway Collision, 2330.
Land Acts Continuation and Amendment Bill, 401 and 402.
Loans Redemption Bill, 2342.
Mining Companies’ Calls and Forfeitures Validating Bill, 1811.
Privilege—The Age, 1349 and 1531.
Railway Department—Locomotive Whistles, 857; Closet Accommodation, 2907.
Vaccination, 2739.

MADDEN, Mr. Walter, Minister of Lands (The Wimmera)
Administration of the Land Law—Objections to Selections by the Railway Department, 309; James O’Donoghue, 421 and 1446; Land at Coomoora, 421, 1151, and 1153; Pyramid Creek Frontages, 482; Sale of 116th Section Areas, 489 and 524; Selectors’ Rents, 564; Alleged Dummy Cases—Echuca Inquiry, 694, 1115, 1203, 1286, 1298, 1570, 2100, and 2463; Selectors’ Water Frontages, 1064; Land at Yawong, 1065; Luke Murphy’s Selection, 1150; Frontages to Lake Elizabeth, 1174; Land at Turrumbery, 1205; Beaconsfield’s Bridge, 1229, 1230, 1403, and 1404; Selections in Gippsland, 1290; Land at Glengower, 1305; Forfeited Lands at the Terricks, 1406; Sales by Auction, 1817; Lake Gunnaw, 2115; Lake Boga, 2289; Transfer of Selections, 2295 and 2614; Residence Areas at Queenscliff, 2738; Timbor Reserves—Land at Wombat, 2933.
Albert Park Lake, 58.
Carlton Gardens, 2115, 2233, 2291, and 2907.
Carriage Drive through Botanic-gardens, 2935.
Creswick Mining Disaster, 2885.
Expire Laws Continuation and Amendment Bill, 2940.
Gunbower State Forest, 1285.
Interim Land Bill, 2738.
Irrigation, 1585 and 2251.
Land Acts Continuation and Amendment Bill, 398, 474, and 2238.
Melbourne Harbour Trust—Deposit of Silt, 1508.
Melbourne Hospital, 1115.
Melbourne Tramway and Omnibus Company’s Bill, 2276.
Mr. James McLean, 2630, 2644, and 2940.

31
INDEX.

MADDEN, Mr. WALTER (continued)—
Mr. A. R. Wallis, 56.
Murray Lakes, 945 and 1424.
Parks and Gardens, 2438 and 2531.
Pental Island, 523.
Phosphorized Grain, 21.
Rabbit Suppression Act, 2840.
Railway Construction Bill, 1124, 1130, 1134, 1218, 1488, 1741, 1790, 1801, and 1909.
Railway Department—Eight Hours System, 841.
Railway Extension to Elwood, 1446.
Reserves, 18, 418, and 975.
Richmond City Council—Stone for Streets, 1717 and 1793.
Road at Werribee, 1500.
Royal Park—Sale of Experimental Farm, 247, 279, 410, and 471.
Tank Reserve, Eastern Hill, 734.
University Reserve, 58, 395, and 1262.
Water Supply—Grants to Water Trusts, 730 and 790; Danumkko, 2234.
Yarra Bank Lands, 1379, 1382, and 1424; Mrs. Julia Gordon, 1509, 1645, 1979, and 2019.

Magistrates, Appointment of—Question by Mr. Bowman, 50; by Mr. Richardson, 280 and 322; by Mr. Ross, 229. (See Police Magistrates.)

Maintenance Orders, Appeals against—Question by Mr. McKean, 421.
Majorca, Registrar at—Question by Mr. Barr, 174.
Maldon Railway—Question by Mr. McIntyre, 321.
Mallee Country. (See Land Acts Continuation and Amendment Bill.)
Married Women's Property Act Amendment Bill—Brought in by Mr. Munro, and read first time, 1174; second reading, 1425; considered in committee, 1425 and 2035; read third time, 2039; returned from Legislative Council with amendments, 2988; amendment adopted, 2988.
Maryborough Water Trust—Statements by Mr. Hall, 189, 305, and 762; by Mr. Bowman, 296 and 761.

MASON, Mr. F. C. (S. Gippsland)
Beer Duty, 171.
Budget, 910.
Carlton Gardens, 2115.
Coal, 524.
Coranderrk Aboriginal Station, 365.
Council Elections, 2544.
Council Electoral Rolls, 668.
Debate—Motions for Adjournment, 947 and 948.
Defence of the Colony, 794.
Dog Act Amendment Bill, 2146.
Employés in Shops Commission, 2100.
Exclusion of Strangers, 1820.
Government Printing-Office, 977 and 1040.
Great Southern Railway, 1382.
Legal Profession Bill, 838, 1265, and 1426.
Liquor Traffic—Local Option, 1184.
Local Government Laws Amendment Bill, 886.
Melbourne Telegraph Office, 2114.
Melbourne Tramway and Omnibus Company's Bill, 335 and 1923.
Mirboo Railway, 321, 564, and 1715.

MASON, Mr. F. C. (continued)—
Mr. E. H. Hargreaves, 1431.
Mr. W. Shuttleworth, 1496.
Morwell Petty Sessions, 248.
Parliament House—Assembly Chamber, 323.
Port Albert, 1519 and 1820.
Private Members' Business, 1799.
Publicans' Licences—Special Districts, 493 and 742.
Public Instruction—Rifle Competition, 2098.
Railway Ballast Contracts, 339.
Railway Construction Bill, 781, 995, 1279, 1285, 1386, 1407, 1408, 1410, 1633, 1774, 1782, 1841, and 2077.
Railway Department—Darnum Station, 94; Railway Workshops, 1411; Gippsland Cattle Traffic, 1442; Shelter for Produce—Gippsland Line, 1718.
Rev. J. A. Dowie, 1876 and 1927.
Sunbury Lunatic Asylum—Mr. Baldwin's Dismissal, 1488.
Temporary Advances (Railways) Bill, 1201 and 1253.
Wrecks on the Gippsland Coast, 481.

Matrimonial Causes Statute—Question by Mr. McKean, 133.
Medical Act—Prescriptions—Question by Mr. Davies, 602.
Melbourne Gaol—Question by Mr. McKean, re regulations, 133; by Mr. Laurens, re warders, 1424; by Mr. Zox, re removal of gaol, 2907.
Melbourne Harbour Trust—Question by Mr. A. T. Clark, re purchase of plant, 562; motion by Mr. Barr, against "deposit of silt or mud in any portion of the Bay under low water mark," 1501; debated, 1502; negatived, 1503. (See Dredging Operations.)
Melbourne Harbour Trust Act Amendment Bill—Bill laid on the table by the Clerk, and ordered to be considered in committee, 670; motion by Mr. Orkney to permit trust to be heard by counsel at the bar of the House, 1436; agreed to, 1437; counsel heard at the bar, 1936; question by Mr. Carter, re introduction of short Bill, 1936; statement by Sir Bryan O'Loughlin, 1936; discussion thereon, 1937; discussion re petition presented by Mr. Orkney, 2705.
Melbourne Hospital—Question by Mr. Laurens, 21; by Mr. McKean, 1114; return ordered, on motion of Mr. Laurens, 1482; produced, 1597; statement by Mr. Laurens, 1625; further return ordered, on motion of Mr. Laurens, 2140; produced, 2190. (See Charitable Institutions.)
Melbourne International Exhibition—Motion by Sir Bryan O'Loughlin, thanking President and other officers for their services, 397; agreed to, 398. (See Exhibition Building.)
Melbourne (North) Swamp—Statement by Mr. Bent, 2285; question by Mr. Barr, 2285; statement by Mr. Laurens, 2707; by Mr. C. Young, 2705.
Melbourne Tramway and Omnibus Company's Bill—Brought in by Mr. Gillies, and read first time, 472; second reading moved by Mr. Gillies, 465; amendment by Mr. Gardiner that the Bill be read a second time "this day six months," 569; debated by Mr. Carter, 571; Mr. Langridge, 573; Sir
Melbourne Tramway &c. Bill (continued) — Bryan O’Loghlen, 575; Mr. Kerferd, 577; Mr. Fisher, 579; Sir John O’Shanassay, 579; Mr. Berry, 580; debate adjourned, 582; resumed by Mr. Walsh, 670; continued by Mr. L. L. Smith, 672; Mr. Launsons, 674; Mr. Wrixon, 676; Mr. Mirams, 678; Mr. Macgregor, 680; debate adjourned, 681; resumed by Mr. Bosiato, 823; continued by Major Smith, 824; Mr. Zox, 825; Mr. Patterson, 827; Mr. Tucker, 828; Mr. Denison, 829; Mr. Woods, 830; Mr. Walker, 832; Mr. McColl, 833; Mr. Hare, 833; Mr. Connor, 834; Mr. Wheeler, 834; Mr. Blackett, 835; Mr. Mason, 835; Mr. Munro, 836; amendment negatived, 837; Bill read second time, 838; motion by Mr. Gillies for suspension of Standing Orders Nos. 1 and 2, 917; debated, 917; agreed to, 923; motion by Mr. Gillies for referring Bill to select committee, 923; debated, 928; debate adjourned, 932; resumed, 1095; agreed to, 1099; motions by Mr. Carter for dispensing with Standing Order No. 119, agreed to, 1202; committee’s report brought up, 1596; motion by Mr. Gillies for consideration of report, 1717; debated by Mr. Laurens, 1726; Mr. Nimmo, 1728; Mr. Patterson, 1729; Sir Bryan O’Loghlen, 1732; Mr. Macgregor, 1734; Mr. Kerferd, 1735; debate adjourned, 1736; resumed by Mr. Kerferd, 1800; continued by Mr. Langridge, 1802; Mr. Walsh, 1804; Mr. Blackett, 1805; Mr. Tucker, 1807; Mr. Fisher, 1808; debate adjourned, 1809; resumed by Mr. Fisher, 1870; further adjourned, 1875; debate adjourned, 1875; Mr. Carter, 1956; continued by Mr. Gardiner, 1959; Sir Bryan O’Loghlen, 1959; Mr. Kerferd, 1962; Mr. Macgregor, 1963; Mr. Berry, 1964; Mr. Carter, 1965; Mr. Patterson, 1966; further adjourned, 1969; motion carried, 2116; report considered, 2116, 2209, 2270, 2271; 2272, 2244, 2292, 2303, 2375, 2385; debate resumed, 2522; motion by Mr. Gillies for suspension of Standing Order No. 105, agreed to, 2522-3. (See Bills, Private.)

Member, Resignation of—Announced—Mr. R. Murray Smith, 8.
Members authorized to attend Legislative Council re Railway Construction Bill—Mr. Anderson, 2312; Mr. Harper, 2524; Mr. Langdon, 2708.

Members, Death of—Announced—Mr. Kernot, 8; Mr. Ramsay, 391.

Members, New—Introduced and sworn—Mr. Connor and Mr. Walker, 8; Mr. Harper, 689.

Mercantile Marine Service Bill—Brought in by Mr. Graves, and read first time, 404.

Messages between the Houses. (See Standing Orders Committee.)

Miners’ Lien Bill—Question by Mr. Fincham, 17.

Miners’ Requirements—Question by Major Smith, 251.

Miners’ Residences Bill—Brought in by Mr. Richardson, and read first time, 2720.

Miners’ Wages—Question by Mr. Richardson, 2548.

Mines, Regulation of—Question by Mr. Zox, re inspection of machinery, 170; by Major Smith, re competency of engineers-drivers, 2063.

Mineral Leases—Subject of consolidation of leases, 507, 706, 821, 1519, and 951; return ordered, on motion of Mr. Williams, 370; produced, 763; question by Mr. Fisher, re lease No. 4192, 1521.

Mining at Sandhurst—Question by Mr. R. Clark, re underground surveys, 2065; by Mr. Williams, re official inspection of No. 150 claim, 2065; statement by Mr. Williams, re non-fulfilment of covenants, 2144; discussion thereon, 2145.

Mining Claim, Alleged Damage to—Question by Mr. Pearson, 823.

Mining Companies Act Amendment Bill—Brought in by Major Smith, and read first time, 1875; order for second reading discharged, 2038.

Mining Companies’ Calls and Forfeitures Validating Bill—Brought in by Mr. Burrowes, and read first time, 1746; second reading moved by Sir Bryan O’Loghlen, 1809; debated, 1810; debate adjourned, 1812; motion for second reading negatived on division, 1848; question by Mr. Kerferd, 1868; Bill ordered to be “read a second time on Tuesday, 3rd October,” 1896; second reading, 2109-11; considered in committee, 2111; adoption of report, 2259; third reading, 2260; returned from Legislative Council with amendments, 2908; amendments adopted, 2909.

Mining Leases—Subject of consolidation of leases, 507, 706, 821, 1519, and 951; return ordered, on motion of Mr. Williams, 370; produced, 763; question by Mr. Fisher, re lease No. 4192, 1521.

Mining on Private Property Bill—Brought in by Mr. Burrowes, and read first time, 404.

Mining Statue, Regulations under—Question by Mr. Williams, 1263; by Mr. R. Clark, 1264.

Ministry—Motions treated by the Ministry as Motions of Want of Confidence—Mr. Berry’s amendment on the motion for an address in reply to the Governor’s speech, 29; Mr. Fincham’s motion re the administration of the Railway department—supply of ballast, 327; Mr. Patterson’s motion respecting the “Address of the Irish in Victoria to the Irish in Ireland,” 525; Mr. Francis’ motion against the taxation remissions proposed by the Ministry, 681; Sir John O’Shanassay’s amendment in clause 2 of the Loans Redemption Bill, 2389; Mr. Munro’s motion for a select committee re the Hawthorn railway collision and railway management generally, 2789; question by Mr. Mirams, re the Solicitor-General, 1154. (See Adjournments of the House; also Railway Collision at Hawthorn and Taxation.)

Mirams, Mr. James (Collingwood)

Administration of the Land Law—Alleged Dummy Cases, 1294; Transfer of Selections, 2203 and 2614.

Agent-General, 977.

Alphington Railway, 592, 1519, and 1520.

Amendment of the Electoral Law, 634.

Asking Questions, 367.

Attorneys’ Costs Taxation Act Amendment Bill, 742.

Bee Duty, 1476, 1541, and 1626.

Budget, 507, 706, and 955.

Charitable Institutions, 2190.

Council Electoral Rolls, 2033.

Council Electors (Licensees Qualifying) Bill, 1197, 1365, 1557, and 1564.

Creswick Mining Disaster, 2880.
INDEX.

MIRAMS, Mr. JAMES (continued)—
Customs Department—Smuggled Chinese Goods, 96; Exportation of Scrap Iron, 1423. Debates in Committee—Motions for Adjournment, 947 and 1116. Disease in Vines, 750. Federation, 1686. Government Advertising, 1769 and 1978. Governor's Speech, 226. Hawthorn Railway Collision, 2762. Hobson's Bay Railway, 120 and 370. Irish Question—Conduct of Members, 560 and 624. Land Acts Continuation and Amendment Bill, 385, 1078, 2202, 2224, and 2239. Land Selections, 369. Liquor Traffic—Local Option, 1182. Loans Redemption Bill, 1028, 2362, and 2395. Malting Barley in Bond, 1037. Macgregor, re fares on Hobson's Bay Railway, 246; by Mr. Pearson, re contract for railway carriages, 360; by Major Smith, re administration of Education department, 438; by Mr. Longmore, re Irish question—conduct of Members, 448; by Mr. Mason, re publicans' licences—special districts, 483; by Mr. McKeen, re administration of justice—the police, 631; by Mr. Berry, re Council electoral rolls, 662; by Mr. Bowman, re Maryborough water trust, 761; by Mr. Woods, re defence of the colony, 794; by Mr. A. T. Clark, re prosecution for libel, Wright v. Driscoll, 553; by Mr. Tucker, re erection and repair of State schools, 881; by Mr. A. T. Clark, re defence of the colony, 1003; by Mr. Cook, re route of Coburg Railway, 1037; by Mr. Patterson, 1638; by Mr. Longmore, re selectors' water frontages, 1653; by Mr. Gardiner, re Hancoard, 1140; by Mr. Richardson, re Neds, and Coomera, 1150; by Mr. Dow, re 110th section block at Beaconsby's Bridge, 1229 and 1403; by Mr. McColl, re alleged dummy cases, 1286; by Mr. Mirams, re sale of Yarra Bank lands, 1379; by Mr. Deakin, re dismissal of Mr. Baldwin, 1447; by Major Smith, re forest conservation, 1447; by Mr. Fincham, re running of railway trains on Sunday, 1795; by Mr. Mason, re Rev. J. A. Dowie, 1927; by Mr. Longmore, re Dr. Edward Barker, 1948; by Mr. Quick, re railway from Heathcote to Sandhurst, 2011; by Mr. McColl, re Mrs. Julia Gordon, 2014; by Major Smith, re regulation of mines—engine-drivers, 2063; by Mr. Dow, re water conservation on the Northern Plains, 2090; by Mr. Williams, re mining at Sandhurst, 2144; by Mr. Fraser, re despatch of business, 2185; by Mr. Tucker, re appointments and promotions in the public service, 2206; by Mr. Gillies, re railway collision at Hawthorn, 2372; by Mr. Zox, re St. George's Hall, 2904. Motions for the Adjournment of the House—Standing Orders Committee's Report, 938. Motions “Unopposed”—Motions set down as unopposed, ordered to be placed on the ordinary list, 1041 and 1699. Mount Albert—Stone—Question by Mr. Anderson, 21. Municipal Audits—Question by Mr. McColl, 1745; statement by Mr. Wilson, 2493; by Sir Bryan O'Loghlen, 2493. Municipal Elections—Question by Mr. Hall, re adjournment of the House, 1558. Municipal Endowment—Question by Mr. Wilson, re 50 by Mr. Walker, 780; by Mr. R. Clark, 1946. (See Roads, Closed.) Municipal Loans—Question by Mr. Walsh, re return ordered the previous session, 21; return produced, 59.

MIRRO, Mr. JAMES (N. Melbourne)—Betting and Gaming Houses Suppression Law Amendment Bill, 1881.

MORRIS—Standing Orders Committee's Report, 938.
MUNRO, Mr. JAMES (continued)—
Budget, 563, 701, 718, and 904.
Building Societies Act Amendment Bill, 489, 582, 742, 883, and 1059.
Carlton Gardens, 2293 and 2291.
Christmas Holidays, 2549.
Colonial Spirits, 888.
Council Electors (Licensees Qualifying) Bill, 1565.
Creswick Mining Disasters, 2597.
"Cup" Day, 2253.
Defence of the Colony, 1814.
Expenditure under Loans, 1443, 1445, 2899, and 2901.
Federation, 1646 and 2381.
Gisborne Railway Station, 2388.
Hawthorn Railway Collision, 2738, 2740, 2745, and 2780.
Irish Question—Conduct of Members, 460, 559, and 692.
Liquor Traffic—Local Option, 388, 1175, 1184, and 1786.
Loans Redemption Bill, 2344 and 2422.
Married Women's Property Act Amendment Bill, 1175, 1425, 2035, and 2388.
Melbourne Tramway and Omnibus Company's Bill, 536, 924, 928, 2127, and 2382.
Ministry—State of Public Business, 1907.
Mr. R. G. Ford, 1147.
Mr. Francis, 760.
Mr. E. H. Hargreaves, 745.
Mr. McColl, 1857.
Mr. W. Shuttleworth, 1983.
Model Farm, 412 and 416.
Motions for the Adjournment of the House, 633.
Municipal Audits, 1746.
New Law Courts, 695.
Order of Business, 1076, 2187, 2464, and 2549.
Parliament House—Electric Bells, 324.
Police—Oriental Hotel, 634.
Privilege—Dr. Madden and the Age, 1354.
Public Service, 2208.
Publicans' Licences—Special Districts, 743.
Railway Ballast Contracts, 140, 343, 374, 388, 390, and 392.
Railway Construction Bill, 1116, 1118, 1120, 1126, 1133, 1378, 1398, 1416, 1495, 1510, 1533, 1590, 1597, 1604, 1608, 1681, 1692, 1690, 1700, 1714, 1747, 1750, 1773, 1779, 1785, 1812, 1822, 1859, 1860, and 1903.
Railway Department—Suburban Trains, Gippsland Line, 208 and 394; Manufacture of Carriages, 275 and 852; Expenditure, 754; Free Passes, 442; Prosecution for Libel—Wright v. Driscoll, 857; Locomotives, 1365; Rolling-stock, 1440; Woods' Brake, 1440; Kensington-hill, 2392 and 2503.
Railway Junction at Albury, 9.
St. George's Hall, 2906.
Sandhurst Lands Vesting Bill, 740.
Sandhurst Public Buildings Sites Bill, 582.
Sir John O'Shanassy, 718.
State School on Hotham Hill, 1194 and 2412.
Trade Unions Bill, 1574, 1577, and 2035.
Vine Disease Act Amendment Bill, 2948.
Water Supply—Grants to Water Trusts, 784.
Yarra Park Lands, 1500.
Yea Railway, 1492.
Murray Lakes—Questions by Mr. McColl, 945 and 1424.
Nelson, H. M.S.—Question by Mr. R. Clark, 2491; statement by Sir Bryan O'Loghlen, 2921.
Newspaper Paragraphs—Statement by Mr. Laurens, 1742; by Major Smith, 1743; motion by Major Smith for the publishers of the Argus and the Age to be brought to the bar, 1744; seconded by Mr. Longmore, 1744; negatived, 1745. (See Privilege.)
NIMMO, Mr. John (Emerald Hill)
Albert Park Lake, 57.
Attempted Assassination of the Queen, 456.
Budget, 946 and 949.
Cemeteries Statute Amendment Bill, 1586.
Christmas Holidays, 2913.
Coburg Railway, 1063.
Council Elections (1882) Act Amendment Bill, 1047.
Council Electors (Licensees Qualifying) Bill, 1562.
Coranderrk Aboriginal Station, 365.
Creswick Mining Disaster, 2596.
"Cup" Day, 2236.
Defence of the Colony, 810.
Federation, 2040.
Governor's Speech, 290.
Hawthorn Railway Collision, 2697 and 2704.
Irish Question—Conduct of Members, 532 and 611.
Land Acts Continuation and Amendment Bill, 2581.
Legal Profession Bill, 1428.
Liquor Traffic—Local Option, 1175.
Loans Redemption Bill, 2429.
Melbourne Harbour Trust—Deposit of Silt, 1506.
Melbourne Tramway and Omnibus Company's Bill, 936, 1728, 2127, 2275, 2526, 2580, 2616, 2717, and 2919.
Mr. Elsdon, 141 and 143.
Mr. E. H. Hargreaves, 1430 and 1436.
Mr. W. Shuttleworth, 1494.
Motions for Adjournment, 763.
Parliamentary Costs—Taxing Officer, 2181.
Parliament House—Stone for West Front, 2412, 2414, and 2465.
Personal Explanation, 2463.
Private Members' Business, 1983.
Privilege—Mr. Sprigg, 2527, 2547, and 2548.
Railway Ballast Contracts, 141, 143, 561, 635, 646, and 669.
Railway Construction Bill, 991, 1419, 1421, 1471, 1513, 1528, 1587, 1589, 1809, 1635, 1640, 1688, 1700, 1704, 1815, 1824, 1862, 1890, 2024, 2039, and 2162.
Railway Department—St. Kilda Line, 695 and 1445; Mrs. Maloney, 1027; Eight Hours System, 1271; Williamstown Workshops, 1272.
Railway Extension to Elwood, 1446.
Temporary Advances (Railways) Bill, 1250.
Water Conservation, 2097.
Wattle Planting, 1462.
Yan Yean Water Supply, 1115.
Norgate, Mrs. Harriet—Case of—Questions by Mr. W. M. Clark, 2065 and 2115.
INDEX.

North-Western Canal—Question by Mr. McCall, re vote for contour survey, 18; statement by Mr. C. Young, 18; discussion thereon, 19; further question by Mr. McCall, 469; motion by Mr. McCall for extending contour survey to the Avoca river, 459; debated, 469; withdrawn, 490; question by Mr. McCall, 793.

Notice-paper—Question by Mr. Harper, re alteration of questions, 1032; statement by the Speaker, 1032; discussion thereon, 1038; statement by the Speaker, re memorandum by the Clerk, 1539; discussion thereon, 1365; statement by the Speaker, re copies of notice-paper, 1174.

O'CALLAGHAN, Mr. William (The Wimmera). Administration of the Land Law—110th Section Reserves, 1406.

Budget, 878.

Dummunke Water Scheme, 2233.

Governor's Speech, 299.

Irish Question—Conduct of Members, 454.

Land Acts Continuation and Amendment Bill, 2588.

Mr. E. H. Hargraves, 1431.

Phosphorized Grain, 21.

Railway Construction Bill, 1138, 1342, 1600, 1682, 1713, 1737, 1752, 1836, 1909, 2077, and 2159.

Railway Department—Gatekeepers on the Horsham Line, 470; Workshops at Horsham, 1892; Labeck and Murtoa Stations, 1518 and 1841.

Reserves, 18.

Telegraph Extension to Natimuk, 1821.

Wychoo proof Railway, 1541.

OFFICER, Mr. C. M. (Dundas)

Coburg Railway, 1039.

Dr. Edward Barker, 1954.

Governor's Speech, 304.

Irish Question—Conduct of Members, 532, 551, and 593.

Land Acts Continuation and Amendment Bill, 2590.

Parliament House—Stone for West Front, 2480.

Railway Ballast Contracts, 658.

Railway Construction Bill, 992, 1053, 1110, 1298, 1391, 1600, 1641, 1642, and 1752.

Old Colonists' Association Bill—Brought in by Mr. Zox, and read first time, 418; motion by Mr. Zox for remission of fees agreed to, 418; second reading, 471-2; Bill referred to select committee, 565; committee's report brought up, 629; adopted, 742; Bill read third time, 823.

O'LOUGHLIN, Sir Bryan, Bart. (continued)—

Appeals against Maintenance Orders, 422.

Asking Questions, 1030.

Aspinall v. Marks, 1228.

Assault on the High Seas, 1926, 2062, and 2116.

Attempted Assassination of the Queen, 324.

BagTax, 1570.

Ballarics Boundaries Act Amendment Bill, 1264 and 1425.

Ballarat Benevolent Asylum, 1644.


Beer Duty, 1476 and 1541.

Betting and Gaming Houses Suppression Law Amendment Bill, 1881, 1886, and 1886.

Black Wednesday, 226.

Boiler Inspection, 631.

Bordeaux Wine Exhibition, 1263.

Budget, 435, 490, 586, 701, 704, 709, 711, 887, and 903.

Carlton Post-office, 1629.

Cemeteries Statute Amendment Bill, 1579.

Charitable Institutions, 17 and 1476.

Chinese, 1571.

Closed Roads, 2053.

Coburg Railway, 1038 and 1081.

Codification, 17.

Companies Statute Amendment Bill, 9.

Consolidated Revenue Bills, 820, 1829, 2505, and 2925.

Correction of Newspaper Statements, 1743 and 1744.

Council Elections (1882) Act Amendment Bill, 58, 796, 1041, 1043, and 1046.

Council Elections, 2251 and 2254.


Council Electors (Licensees Qualifying) Bill, 1028, 1031, 1195, 1196, 1198, 1200, 1365, 1366, 1383, 1403, 1424, 1483, 1543, and 1568.

Council Supplementary Rolls (1882) Bill, 1867, 1897, 1892, 1904, and 2014.

County Court Judges Bill, 699.

County Court Judgments, 565.

Court of General Sessions at Alexandra, 2944.

CrescoW Mining Disaster, 2542 and 2579.

Criminal Appeals, 135.

Defence of the Colony, 734, 799, 801, 802, 804, 806, 1003, 1004, and 1019; The Ceberras, 86 and 2375; Volunteer Force, 422, 1036, 1094, 1542, 1625, 1869, 2064, and 2575; Naval Forces, 1321.

Disease in Vines, 1032.

Disorderly Language, 947 and 948.

Divorce Petitions, 1174.

Dr. Edward Barker, 1765, 1947, 1950, 2291, and 2384.

Dog Act Amendment Bill, 2010 and 2115.

Dredging Operations, 369.

Dynamite Explosion at Prahran, 422.

East Bourke Election, 1083.

Education Commission, 59, 134, and 249.

Employed in Shops Commission, 592, 2100, and 2707.

Erection of State Schools, 2183, 2293, 2411, 2412, and 2334.

Exhibition Building, 1032.

Expiring Laws Continuation and Amendment Bill, 2920 and 2922.

Expenditure under Loans, 1442, 1444, 2399, 2906, 2902, and 2923.

Explosives, 394.

Fatal Railway Accident—Constable Barrett, 1174.

O'LOGHLEN, Sir Bryan, Bart. (continued)—

Administration of the Electoral Law, 1717.

Amendment of the Public Health Statute, 8.
O’LOGHLEN, Sir Bryan, Bart. (continued)—
Federal Bank of Australia, 1424 and 1450.
Federation, 1650 and 2280.
Floating of the £4,000,000 Loan, 22, 1364, 1401, 1977, 2209, 2614, and 2636.
Gold and Silver Plate, 1838.
Government Printing-office, 393, 977, 1040, 1202, and 1296.
Governor’s Messages, 978.
Governor’s Speech, 15 and 306.
Hansard, 1149.
Hawthorn Railway Collision, 2672, 2699, 2701, 2728, 2730, 2745, 2753, 2792, and 2929.
H. M. S. Nelson, 2491 and 2521.
Inscribed Stock Bill, 2508, 2510, and 2522.
Intercolonial Reciprocity—Law and Medicine, 1261.
Irish Autonomy, 8.
Irish Immigration, 1698.
Irish Question—Conduct of Members, 448, 654, 793, and 652.
Jolimont Railway Accident, 132.
Judge Skinner, 278 and 562.
Land Acts—Continuation and Amendment Bill, 460, 1445, 1090, 1096, 2108, 2203, 2258, and 2633.
Land Tax, 891.
Liquor Traffic—Local Option, 1183 and 1876.
Loans Redemption Bill, 404, 794, 1028, 1401, 2295, 2316, 2365, 2389, 2396, 2416, 2427, 2430, 2432, 2451, 2454, 2456, 2458, 2462, 2505, 2511, and 2522.
Magistrates, 20, 250, 322, and 630.
Malting Barley in Bond, 760.
Married Women’s Property Act Amendment Bill, 1425, 2035, 2037, and 2039.
Municipal Endowment, 1543, 1571, 1629, and 1633.
Municipal Loans, 21.
New Law Courts, 1476, 2409, and 2411.
North-Western Canal, 489.
Notice-paper—Printing of Copies, 1174; Alteration of Questions, 1056 and 1363.
Numbered Parishes, 1542.
Order of Business, 1094, 1263, 1264, 2100, 2184, 2190, 2463, 2549, and 2583.
Parliamentary Costs—Taxing Officer, 1985 and 2180.
Personal Explanation—Mr. Justice Higinbotham, 482; Railway Management, 2706.
Petitions—Rokewood, 174; Morwell, 248; Gumbower, 669.
Pilot Loiseau, 976.
Police Magistrates, 20.
Police Officers Act Amendment Bill, 404 and 1717.
Police—Fetty Sessions Prosecutions, 629; Alleged Illegal Arrest, 633; Additional Inspectors, 859; Loans by Publicans, 1262.
Political Assassinations in Ireland, 203, 248, and 280.
Prerogative of Mercy, 1424.
Princess of Wales’ Birthday, 2376.
Privilege—Mr. Spigg, 2546 and 2548; Mr. Woods and the Age, 2773 and 2781.
Prothonotary, 2932.
Public Finances, 1627, 1628, 2491, and 2614.
Publicans’ Licences—Special Districts, 483, 742, 744, and 1114.
Public Service, 395, 582, 1094, 1148, 1688, 2941, 2942, 2906, 2407, 2549, 2550, and 2968.
Pyrites, 1869.
Railway and Waterworks Debentures Redemption Bill, 2522.
Railway Ballast Contracts, 130, 139, 140, 142, 312, 319, 342, 370, 372, 383, 388, 399, 390, 393, and 638.
Railway Department, 732, 752, 969, and 965; Flinders and Elizabeth streets Crossing, 793; Eight Hours System, 940; Prosecution for Libel—Wright v. Driscoll, 854; Shelter for Produce on the Gippsland Line, 1716; Smelting Debitants, 1716; Curves on the North-Eastern Line, 1868; Kensington-hill, 2293 and 2497.
INDEX.

O'LOGhlen, Sir Bryan, Bart. (continued) —
Railway Extension — Creswick and Daylesford, 1716; Sandhurst and Heathcote, 2034.
Railway Loan (1881) Application Bill, 1623, 2279, 2283, 2284, 2286, 2288, and 2295.
Railways Management Bill, 2707, 2765, and 2841.
Reading of Letters during Debate, 2639, 2668, 2708, 2710, and 2714.
Remission of Penalties, 1795.
Rifles Clubs, 1623 and 1977.
Sandhurst Public Buildings Sites Bill, 490 and 582.
Sebastopol and Durham Leads, 173.
Serpentine Weir, 488.
Sessional Arrangements — Days of Sitting, 325; Standing Committees, 329; Private Members' Business, 325, 326, 1438, 1596, and 1980; Hour of Meeting, 2408.
Sir Charles Mac Mahon and Mr. Bent, 2837 and 2839.
Small-fox, 1926.
Stock Tax, 2265 and 2876.
Sunbury Lunatic Asylum — Mr. Baldwin's Disposal, 1443, 1451, 1458, 1597, and 1541.
Supply, 319, 798, 1627, and 1980; Hour of Meeting, 2408.
Sir Charles Mac Mahon and Mr. Bent, 2837 and 2839.
Spencerian Weir, 488.
Temporary Advances Bills, 1116, 1154, 1201, 1202, 1207, 1229, 1227, 1230, 1235, 2368, 2388, and 2408.
The late Clerk of the Assembly, 395.
The Loch Maree, 423 and 734.
The Speaker, 186 and 2608, and 2705.
Tobacco Duties Bill, 758, 760, 842, 977, 1048, and 1066.
Totalisator, 1114.
Trade Marks Statute, 421.
Trade Unions Bill, 591, 1574, 1577, and 1578.
Victorian Order of Merit, 2907.
Victorian Rifle Association, 1679.
Vine Disease Act Amendment Bill, 2945.
Visitors — Mr. William Moore, 9; Sir Henry Parke, 1403; Mr. Alfred Catt, 2785.
Votes on Account, 819 and 2304.
Wahgunyah Bridge, 9 and 562.
War in Egypt — Bombardment of Alexandria, 1027; Battle of Tel-el-Kebir, 1745; Address to the Queen, 1763.
Water Supply — Grants to Water Trusts, 727, 735, and 791; Maryborough Water Trust, 763; Broken Creek, 971 and 1040; Northern Plains, 2095.
Wattle Planting, 1460 and 1477.
Ways and Means, 319, 758, 8201, 629, 2505, and 2925.
Western Port — Harbour Improvements, 2100.
Working Man's College, 281.
Yarra Bank Lands, 1382, 1645, and 1768.

Order of Business — Subject discussed, 1067; statement by Sir Bryan O'Loghlen, that "the Government will afford the House every opportunity of proceeding with the Railway Bill before entering upon the consideration of any other measure," 1094; question by Mr. Mason, 1263; discussion thereon, 1263; question by Mr. Kerferd, 2184; statement by Mr. Fraser, 2185; discussion thereon, 2186; question by Mr. Berry, 2463; statement by Sir Bryan O'Loghlen, 2463; discussion thereon, 2464; further statement by Sir Bryan O'Loghlen, 2549; question by Mr. Berry, 2582. (See Sessional Arrangements)

ORKNEY, Mr. James (W. Melbourne)
Cliffy Island Light-house, 2522.
Hawthorn Railway Collision, 2513.
Interim Land Bill, 2738.
Melbourne Harbour Trust Act Amendment Bill, 1436, 1936, and 2705.
Melbourne Tramway and Omnibus Company's Bill, 1968.
Railway Construction Bill, 1125, 1389, 1535, 1704, and 2101.
Railway Department — Flinders and Elizabeth streets Crossing, 793.
Railway Works — Expenditure under Loans, 1445.
The Loch Maree, 422 and 734.
Titles-office, 1910.
Yan Yean Water Supply, 1476.

O'Shanaus, Sir John (Belfast)
Asking Questions, 1034.
Budget, 498, 698, 716, and 727.
Catalpa Tree, 2636.
Cemeteries Statute Amendment Bill, 1581.
Christmas Holidays, 2912.
Creswick Mining Disaster, 2881.
Defence of the Colony, 490, 795, 801, and 810.
Erecting of State Schools, 2324.
Expenditure under Loans — Railway Works, 1107, 1442, and 1444; North Melbourne Swamp, 2899 and 2900.
Expiring Laws Continuation and Amendment Bill, 2921.
Federation, 1655 and 1678.
Floating of the £4,000,000 Loan, 1401, 2208, and 2307.
Hawthorn and Lillydale Railway, 359.
Hawthorn Railway Collision, 2707, 2742, and 2802.
Imports and Exports, 471.
Inscribed Stock Bill, 2509 and 2510.
Irish Question — Conduct of Members, 456, 532, 690, and 624.
Land Acts Continuation and Amendment Bill, 403.
Loans Redemption Bill, 794, 1401, 2307, 2366, 2389, 2391, 2426, 2429, 2454, 2460, 2507, and 2511.
Melbourne Tramway and Omnibus Company's Bill, 579, 929, 925, 1095, 2121, 2385, 2559, 2716, and 2718.
Mr. Bent, 1127.
Mr. Bowman, 471 and 482.
Mr. E. H. Havergates, 1432.
Mr. Munro, 720.
Model Farm, 413.
Municipal Elections, 1358.
Notice-paper — Alteration of Questions, 1034 and 1364.
Order of Business — Land Bill v. Railway Bill, 1085.
Personal Explanation, 1078.
Political Assassinations in Ireland, 206.
Public Service, 1372.
Railway Ballast Contracts, 150, 344, 371, and 375.
Patterson, Mr. J. B. (continued)—
Dr. Edward Barker, 1947 and 1953.
Governor's Speech, 36.
Hawthorn Railway Collision, 2673 and 2686.
Irish Immigration, 1697.
Irish Question—Conduct of Members, 447, 448, 458, 522, 542, 560, and 595.
Land Acts Continuation and Amendment Bill, 2294 and 2553.
Legislative Assembly Chamber—Electric Bells, 2407.
Liquor Traffic—Local Option, 1180 and 1194.
Maryborough Water Trust, 761.
Melbourne Tramway and Omnibus Company's Bill, 527, 1730, 1969, and 2447.
Mining Companies' Calls and Forfeitures Validating Bill, 2109, 2112, and 2260.
Mr. Bowman and Mr. Hunt, 2869 and 2866.
Mr. E. H. Hargreaves, 1434.
Parliament House—Stone for West Front, 2408.
Personal Explanations, 70, 132, 170, and 1838.
Political Assasinations in Ireland, 205.
Railway Ballast Contracts, 371 and 373.
Railway Brakes, 322.
Railway Construction Bill, 986, 1049, 1052, 1054, 1056, 1059, 1110, 1119, 1121, 1124, 1127, 1302, 1304, 1333, 1378, 1385, 1390, 1392, 1399, 1417, 1422, 1516, 1599, 1616, 1639, 1643, 1673, 1676, 1689, 1699, and 2157.
Railway Department—Prosecution for Libel, Wright v. Driscoll, 586; Arrangements re Western District Trade, 2059; Spencer-street Station, 2548; Appointment of Employes, 2550.
Sandhurst Lands Vesting Bill, 740.
Sessional Arrangements—Private Members' Business, 326 and 367.
Standing Orders Committee's Report, 586.
Stock Tax, 471 and 2876.
Sunbury Lunatic Asylum—Mr. Baldwin's Dismissal, 1456.
The late Council Creswick Reserves.)
Despatch of Business, 326; report brought up, 1767.
Further statement by the Officer—Statement Gillies for select committee Question by Mr. James, 563; motion by Mr. Patterson, 1746; question by Mr. Pearson, 1747; debate resumed by Mr. Nimmo, 2465; continued by Mr. H. Fisa, 2472; Mr. Pearson, 2473; Mr. McKean, 2474; Mr. Walsh, 2476; Mr. W. M. Clark, 2478; Mr. Mirama, 2478; Mr. Officer, 2480; Mr. Hall, 2481; Mr. Fraser, 2482; Mr. Zox, 2483; Mr. Carter, 2484; debate adjourned, 2484; questions by Mr. McKean, 2521. (See Mount Aurrup Stone.)

Patterson, Mr. J. B. (Castlemaine)
Budget, 705 and 707.
Coburg Railway, 1038 and 1058.
Council Electors (Licensees Qualifying) Bill, 1200.
Creswick Mining Disaster, 2889.
"Cup" Day, 2237.
Daylesford Railway, 116.
Despatch of Business, 1980.

Patterson, Mr. J. B. (Castlemaine)
Administration of the Land Law—Alleged Dummy Cases, 1294.
Asking Questions, 1034.
Budget, 703, 721, and 877.
Christmas Holidays, 2914.
Closed Roads, 2947.
Council Electoral Rolls, 668.
Council Electors (Licensees Qualifying) Bill, 1200 and 1506.
Council Supplementary Rolls (1882) Bill, 1933 and 1935.
Creswick Mining Disaster, 2801.
"Cup" Day, 2238.
Defence of the Colony, 815 and 1006.
Federal Bank of Australia, 1424 and 1459.
Government Printing-office, 393.
Governor's Speech, 119.
Hawthorn Railway Collision, 2752.
Irish Question—Conduct of Members, 455, 548, and 605.
Land Acts Continuation and Amendment Bill, 401, 402, 1075, and 2551.
Land Dispute at Coomoora, 1154.
Loans Redemption Bill, 2316 and 2335.
Melbourne Tramway and Omnibus Company's Bill, 1097 and 2120.
Mining Claim Damage, 823.
Parliament House—Stone for West Front, 1347, 2114, and 2473.
Privilege—Mr. Woods and the Age, 2773.
Railway Ballast Contracts, 949, 579, 386, and 605.
PEARSON, Mr. C. H. (continued)—
Railway Construction Bill, 990, 1126, 1281, 1299, 1340, 1385, 1393, 1399, 1407, 1416, 1601, 1751, 1784, 1851, 1856, 1904, 1907, 1908, and 2163.

Railway Department—Orders for Carriages, 320, 360, and 368; Chewton Station, 1395; Conveyance of Stone, 1895.

Railway Works—Expenditure under Loans, 1442.

Reading of Letters in Debate, 2713 and 2714. Rev. J. A. Dowie, 1541; for repeal of duty on corsetts, 1541, 1595, and 1768; re Oakleigh and Camberwell Railway, 1570; re Moira and Delatite electoral district, 1570, 2289, 2437, and 2463; re railway to Swan Hill, 1896, 1622, and 1698; re Mrs. Julia Gordon, 1998; for repeal of stock tax, 1716, 2098, and 2706; for railway from Sunbury Junction to Beac, 1785 and 1847; against Attorney's Cost Taxation Act Amendment Bill, 1758; for direct railway from Clifton Hill to Melbourne, 1847; re Heidelberg Railway, 2010; for reinstating Sandhurst and Heathcote line in Railway Construction Bill, 2033 and 2098; re proposed rules of Supreme Court as to admission of attorneys, 2033 and 2463; re assurances of personal property, 2299; against Sunday trains, 2299, 2299, 2375, 2437, and 2463; re management of the railways, 2708, 2807, and 2934.

Petty Sessions, Courts of—Question by Mr. Davies, re Rokewood, 174; by Mr. Mason, re Morwell, 248; by Mr. Fisher, re Gunbower, 689.

Placques Foundry Company—Question by Mr. Brophy, 1321. (See Railway Rolling-stock.)

Phosphorized Grain—Question by Mr. O'Callaghan, 21.

Places of Public Resort—Question by Mr. Zox, re means of egress, 58; statement by Mr. Grant, 58. (See St. George's Hall, Melbourne.)

Pleuro-pneumonia—Question by Mr. Deakin, 2098.

Pleuralยpeptic ulcer—Bill, 1201; by Mr. Fisher, re Kerang, 20. (See Magistrates.)

Police Commission—Question by Mr. Blackett, 1036.

Police Magistrates—Question by Dr. Quick, re Appointment of the murder of Lord Frederick Gordon, 1768; by Mr. Zox, re adjournment of the House in consequence, 2115; by Mr. Dow, re promotions, 2092; by Mr. Hunt, re Constables Crowe and Westcott, 2932. (See Arrest, Alleged Illegal.)

Political Assassinations in Ireland—Announcement of the murder of Lord Frederick Cavendish, Chief Secretary for Ireland, and Mr. T. H. Burke, Under-Secretary, and adjournment of the House in consequence, 203-8; statements by Sir Bryan O'Loghlen, re telegrams, 248 and 280. (See Irish Question.)

INDEX.
Population Statistics—Question by Mr. Laurens, 2613.
Port Albert—Question by Mr. Mason, re light-house, 1519; re signal station, 1520.
Portland Free Library—Question by Mr. Wrixon, 2777.
Portland Harbour Improvements. (See Western Ports.)
Postage—Question by Mr. Langdon, 279.
Postal Department—Subject of employment of women, debated on motion for address in reply to Governor's speech, 138 and 271; question by Mr. Laurens, re letter-sortsers, 280; by Mr. Macgregor, re pillar-boxes at Emerald Hill, 304; by Mr. Hall, re trade circulars, 523; by Mr. Daunin, re contract for mails, Myriong and Blackwood, 857; by Mr. Hall, re post and telegraph office at Lake Rowan, 1229; by Mr. Brophy, re senior sorters, 1365; by Mr. Mirams, 2114; by Mr. Mason, 2114; by Mr. Zox, re Melbourne telegraph office, 1909; by Major Smith, re Ballarat telephonic exchange, 2009; by Mr. McKeen, re robbery of registered letters, 2334; by Mr. Zox, 2374; question by Mr. Brophy, re telegraph line repairers, 2439. (See Carlton Post-office; also Carisbrook and Fitzroy Post-offices.)
Post-office Laws Amendment Bill—Brought in by Mr. Bolte, and read first time, 403; question by Mr. Waleh, 1977.
Poston, The—Question by Dr. Quick, 2706.
Prahran, Explosion of Dynamite at—Question by Mr. Harris, 422. (See Explosions.)
Prerogative of Mercy—Question by Dr. Quick, re prisoner in Pentridge, 1424.
Previous Question, The—Moved by Mr. Francis as an amendment on Mr. Patterson's motion, re the Irish question, conduct of members, 525; carried, 561; moved by Sir Bryan O'Loghlen as an amendment on Mr. Munro's motion for select committee, re railway collision at Hawthorn, 2786; carried, 2870.
Prince of Wales' Birthday—Adjournment of the House, 2776 and 2996.
Private Bills—Question by Mr. Longmore, re position of private Bills on notice-paper, 1746; statement by the Speaker, re practice as to giving precedence over other private business, 1795; discussion thereon, 1796; motion by Mr. Mason for referring sessional order, re private Bill business, to Standing Orders Committee, agreed to, 1799; committee's report brought up, 1847; adoption of report moved by Sir Bryan O'Loghlen, 1969; debated, 1969; debate adjourned, 1970; resumed, 1981; report adopted, 1984.
Private Members' Business—Question by Mr. Longmore, 1438; by Mr. Carter, 1606; statement by Mr. Munro, 1930.
Privilege—Motion by Dr. Madden declaring an article in the Age newspaper, re Scarborough estate, "a scandalous breach of the privileges of this House," 1349-50; debated, 1350; negatived, 1357; statement by Mr. Longmore, re letter written by W. G. Spigg, secretary of the Melbourne Tramway and Omnibus Company, 2545; discussion thereon, 2546; letter of apology from Mr. Spigg read, 2548; motion by Mr. Woods declaring an article in the Age Privilege (continued)—newspaper, re the Woods Brace, "a scandalous libel and a breach of the privileges of this House," 2780-72; debated, 2772; withdrawn, 2788. (See Newspaper Paragraph.)
Prohibitory—Question by Mr. Barr, 2932.
Public Finances—Statement by Sir Bryan O'Loghlen, 1627; motion by Mr. Carter for return of payments out of votes for 1882-3 for services rendered during the previous year, 2491; debated, 2491; withdrawn, 2492; question by Mr. Munro, 2614. (See Budget.)
Public Health Laws Amendment Bill—Brought in by Mr. Graves, and read first time, 404.
Public Health Statute, Amendment of—Question by Mr. Laurens, 8.
Public Health Statute Amendment Bill—Brought in by Mr. Laurens, and read first time, 742.
Public Houses—Question by Mr. Carter, re proclamation of special licensing district in Essendon and Flemington, 482; statement by Sir Bryan O'Loghlen, 483; subject discussed on motion for the adjournment of the House, 483; motion by Mr. Mason for resuming proclamation, 742; debated, 742; debate adjourned, 745; order for resuming debate discharged, 1274; return of licences ordered, on motion of Mr. Richardson, 932; produced, 1383; question by Mr. Fisher, re licence-fees, Koondrook, &c., 1113; by Mr. Richardson, re prosecutions for Sunday trading, 1114; by Mr. Keeman, 1114; statements by Mr. Grant, 1114 and 1147; question by Mr. Carter, re instructions to inspectors, 2549. (See Liquor Traffic.)
Public Instruction—Appointments—Statement by Major Smith, re Mr. Jones, 99; by Mr. Grant, 136; question by Mr. Davies, re Mr. Millar, 523.
Boards of Advice, Election of—Question by Mr. Keeman, re hours of polling, 469.
Education Department, Administration of—Subject debated on motion for address in reply to Governor's speech, 96, 178, and 249; statement by Mr. Grant, 210; by Mr. Davies, 210.
Military Drill—Question by Mr. Connor, 1795.
Night Schools—Return of attendance ordered, on motion of Mr. Mirams, 1375; produced, 1383.
Rifle Classes—Question by Mr. Tucker, 1646; by Mr. Mason, 2098.
Royal Commission—Question by Mr. K. Clark, re reports, 59 and 135; by Mr. Wrixon, 134; by Mr. Richardson, 134; statement by Sir Bryan O'Loghlen, 249; statement by Major Smith, re proceedings of commission, 429; subject debated, 429; further statement by Major Smith, 695; question by Mr. Macgregor, 2407.
School Age—Question by Mr. Mirams, 209; return ordered, on motion of Mr. Mirams, 370.
School Books—Motion by Mr. Hall, re contract with Messrs. Collins Brothers, agreed to, 174.
School Reserves, Planting of—Question by Mr. Connor, 320; by Mr. Quick, 1194.
INDEX

Public Instruction (continued)—
Schools—Question by Mr. Denkin, re Ascot Vale, 59; by Mr. Fisher, re Copel's Crossing, 279; statement by Mr. James, re Geelong, 284; by Mr. Grant, 324; return re cost of St. Kilda School ordered, on motion of Mr. Fisher, 370; produced, 420; question by Mr. Fisher, re Macorua, 409; by Mr. Hall, re Northcote, 489; by Mr. Fisher, re Cohuna, 564; re Bear's Lagoon, 564; by Mr. W. M. Clark, re Brooklyn, 564; by Mr. Rees, re Parwan, 822; return ordered, on motion of Mr. Tucker, 888; produced, 888; statement by Mr. Tucker, re erection and repair of school buildings, 881; discussion thereon, 888; question by Mr. Dow, re New Bentley, 895; by Mr. Fisher, re Durham Ox, &c., 895; by Mr. Cameron, re Yan Yean, 895; by Mr. Laurens, re Carlton, 943; by Mr. McColl, re Terrick Terrick East, 1094; estimates of expenditure for erection of school buildings, passed in committee, 1194-5 and 2922-4; question by Mr. McLean, re Wurruck Wurruck, 1365; by Mr. Wheeler, re school clergymen, 1485; by Mr. Langdon, re underground water tanks, 1518; by Mr. Hall, re erection of school buildings in country districts, 2183; by Mr. Kerford, 2205; by Mr. Cooper, re Allandale, 2234; by Mr. Gardiner, re North Carlton, 2269; by Mr. Maagregor, re Emerald Hill, 2407; expenditure for erection of school buildings discussed in connexion with Temporary Advances Bill, 2411; question by Mr. Wheeler, re Allandale, 2788; by Mr. Mirams, re Abbotsford, 2807.

Singing—Question by Mr. A. Young, re Tennyson's new national song, 247.

Teachers—Return ordered, on motion of Major Smith, 370; produced, 395; question by Mr. Davies, re Mr. Millar, 420; by Mr. W. M. Clark, re pupil teacher at Yarraville, 695. Trainees, Examination of—Question by Mr. Mirams, re tampering with examination papers, 631.

Public Service—Questions by Mr. Wrixon, 395, 592, and 1148; return ordered the previous evening, 388; return ordered, on motion of Mr. Tucker, 945; produced, 2224; questions by Mr. Tucker, 1024, 1698, and 2206; by Mr. Walker, 1148; motion by Mr. Wrixon, for select committee, 1367; seconded by Mr. Kerford, 1370; debated by Sir John O'Shanassy, 1372; Mr. Berry, 1373; debate adjourned, 1375; resumed by Sir Bryan O'Loghlen, 2041; continued by Mr. A. T. Clark, 2042; adjourned, 2042; question by Mr. Wrixon, 2407; by Major Smith, 2549; statement by Mr. Tucker, 2549; discussion thereon, 2550; question by Mr. Wrixon, 2508.

Pyramid Creek Reserve—Question by Mr. Fisher, 482.

Pyrites, Treatment of—Question by Mr. Woods, 1999.

Queen, The—Attempted Assassination of—Select committee appointed to prepare address of congratulation to Her Majesty, 324; address brought up, 325; adopted, 325; Governor's message, re transmission of address, 419; despatch from Secretary of State acknowledging receipt of address, 475.

Queenscliff Drill Room—Question by Mr. Langridge, 1794.

Questions, Asking. (See Notice-paper.)

Quick, Dr. John (Sandhurst)

Budget, 968.

Carolin v. Sands, 1041.

Cemeteries Statute Amendment Bill, 1582.

Codification, 17.

Council Elections (1882) Act Amendment Bill, 58 and 1041.

Council Electors (Licensees Qualifying) Bill, 1554.

Divorce Petitions, 1174.

Employés in Shops Commission, 2707.

Federation, 1659.

Governor's Messages, 946 and 978.

Governor's Speech, 320.

Intercolonial Reciprocity—Law and Medicine, 1261.

Mining at Sandhurst, 2145.

Mr. Joseph Geary, 2904.

Mr. Webster, P.M., 20.

Municipal Endowment, 1629.

North Brighton Railway Station, 1027 and 1032.

Officers of the Legislative Council, 1489.

Prerogative of Mercy, 1424.

Railway Construction Bill, 993, 1331, 1411, 1418, 1684, 1691, 1852, 2011, 2028, 2067, 2079, 2108, 2140, and 2143.

Railway Loan (1881) Application Bill, 2282 and 2287.

Reading of Letters in Debate, 2713.

Sandhurst Dynamite Magazine, 1795.

Sandhurst Lands Vesting Bill, 404, 472, 734, 741, and 916.

Sandhurst Public Buildings Sites Bill, 583, 599, and 690.

Standing Orders Committee's Report, 936.

The Hotel, 2706.

Tobacco Duties, 970.

Trade Unions Bill, 1574.

Tree Planting in School Reserves, 1194.

Water Supply—Northern Plains, 1887.

Working Man's College, 280.

Rabbit Suppression Act—Question by Mr. Anderson, 2540.

Railway Accidents—Question by Mr. Kerford, re accident at Windsor, 1115; return ordered on motion of Mr. Zox, 2899. (See Railway Collision at Hawthorn.)

Railway Ballast Contracts—Mordialloc and Brighton Lines—Statement by Mr. Fincham, 129; by Mr. Bent, 137; discussion thereon, 139; statement by Sir Bryan O'Loghlen, 218 and 319; motion by Mr. Fincham for select committee, 327; debated by Mr. Bent, 335; Mr. Mason, 339; Sir Bryan O'Loghlen, 342; Mr. Munro, 343; Sir John O'Shanassy, 344; Mr. Longmore, 345; Mr. McIntyre, 346; Mr. Deakin, 347; Mr. Pearson, 349; Mr. Walker, 350; Mr. Berry, 357; Mr. Carter, 357; Mr. A. T. Clark, 357; Mr. Shiel, 357; Mr. Dow, 358; motion negatived, 359; statement by Sir Bryan O'Loghlen, 370; discussion thereon, 370; motion by Sir Bryan O'Loghlen for appointment of select committee, 372; debated by Mr. Patterson, 373; Mr. Barr, 374; Mr. Munro, 374; Mr. Graves, 375; Sir John O'Shanassy, 375; Mr. Carter, 376; Mr. Wrixon, 377; Mr. McIntyre, 378; Mr.
Railway Ballast Contracts (continued)—Pearson, 379; Mr. Fincham, 380; Mr. Zox, 380; Mr. Gillies, 382; Mr. Richardson, 383; Mr. Shiels, 385; Mr. Gardiner, 385; Mr. Walker, 386; Mr. McColl, 386; Mr. Hall, 387; Mr. Williams, 387; Mr. Munro, 388; Mr. Longmore, 388; Mr. Langridge, 389; Mr. Walsh, 389; motion carried, 390–99; committee appointed, 390; leave given to committee "to report re evidence from day to day," 392; statement by Mr. Wheeler, 392; discussion thereon, 392; committee's report brought up, 661; motion by Mr. Nimmo, "That the report be now taken into consideration," 663; debated by Mr. Fincham, 663; Sir Bryan O'Loghlen, 664; Mr. Nimmo, 664; Mr. Francis, 664; Mr. James, 664; Mr. Deakin, 664; Mr. McIntyre, 664; Mr. Fisher, 664; Mr. Richardson, 665; Mr. Bell, 665; Mr. Anderson, 665; Mr. Longmore, 666; Mr. Wheeler, 667; Mr. Zox, 668; Mr. Officer, 668; Mr. Pearson, 668; Mr. McColl, 669; motion agreed to, 669; report adopted, 659. (See Elsdon, Mr.; also Mordialloc Railway.)

Railway Brakes—Question by Mr. W. M. Clark, 2805; continued by Mr. O'Shanassy, 322; statement by Mr. Bent, 322; question by Mr. Patterson, 324; return re Woods' brake ordered, on motion of Mr. Zox, 1438; produced, 2101.

Railway Collision at Hawthorn—Statement by Sir Bryan O'Loghlen, 2672; subject debated on motion for the adjournment of the House, 2672; report by Mr. Berry, 2672; re timetables, 2707; discussion thereon, 2707; Mr. Munro asks the Government to give precedence to his motion for select committee, 2738; Sir Bryan O'Loghlen declines, 2739; Mr. Munro intimates that he will propose the motion as one of want of confidence, 2740; Sir Bryan O'Loghlen moves the adjournment of the House; motion debated, 2740; agreed to, 2748; motion by Mr. Munro for select committee "to inquire into the management and working of the Railway Department, and especially to report on the whole circumstances relating to the recent disastrous occurrences at Hawthorn," 2789; previous question moved by Sir Bryan O'Loghlen, 2792–3; subject debated by Mr. Berry, 2798; Sir John O'Shanassy, 2802; Mr. Francis, 2804; debate adjourned, 2805; resumed by Mr. Longmore, 2809; continued by Mr. Orkney, 2813; Mr. Richardson, 2813; Mr. R. Clark, 2818; Mr. Woods, 2820; Mr. Fisher, 2823; Mr. Deakin, 2820; Dr. Madden, 2830; Sir Charles MacMahon, 2832; debate adjourned, 2837–40; resumed by Major Smith, 2842; continued by Mr. Graves, 2847; Mr. Wrixon, 2849; Mr. Barr, 2851; Mr. McKean, 2854; Mr. A. T. Clark, 2856; Mr. Langridge, 2858; Mr. James, 2860; Mr. Zox, 2862; Mr. Hunt, 2863; Mr. Bowman, 2866; Mr. Patterson, 2866; Mr. Grant, 2868; Mr. Duffy, 2869; previous question moved, 1382; Mr. M. T. Clark, 2870.

Railway Construction Bill—Brought in by Mr. Bent, and read first time, 398; second reading moved by Mr. Bent, 764; agreed to, 782; Governor's message brought down, 916; considered in committee, 945; resolution for an appropriation agreed to, 945; report adopted, 973; bill considered in committee, 982, 1088, 1116, 1274, 1296, 1322, 1375, 1384, 1407, 1465, 1510, 1520, 1587, 1597, 1630, 1671, 1679, 1698, 1738, 1746, 1769, 1812, 1822, 1849, 1892, and 1896; Bacchus Marsh and Gordons line, 1002, 1048, and 2079; Koroi line, 1049, 1641, and 1671; Avoca and Ararat, 1110; Cheltenham line, 1110 and 1118; Kerang line, 1132; Clifton Hill to Royal Park, 1132, 1679, and 1851; Fern-tree Gully line, 1133, 1691, and 2105; Dimboola to Tarraingine line, 1133; Poowong line, 1274; Fitzroy and Clifton Hill, 1296 and 1682; Hamilton and Colacine, 1297 and 1682; Bairnsdale line, 1302; Swan Hill line, 1302, 1322, 1975, 1973, and 1907; Lancefield and Kilmore, 1304; Maiton towards Leuconoe, 1397, 1901, and 2104; Murchison to Rushworth, 1387; Sandridge and Yarra Mouth, 1387; Nathalia, 1394; Toowmal, 1934; Richmond and Glen Iris, 1384 and 1683; Port Campbell, 1399; Jeetho line, 1407; Maffra line, 1407; Dookie line, 1406; Yarram line, 1410; Wandoong to Sandhurst, 1410, 1689, 1891, and 2100; Creswick to Mansfield line, 1415 and 1801; Maldon line, 1416 and 1700; Heidelberg line, 1242 and 2107; Murray Bridge line, 1425 and 1587; workshops, 1468 and 1510; metropolitan stations, 1469, 1512, 1521, 1858, and 1630; alteration of existing lines, 1577; unfenced lines, 159S and 1597; special appropriation, 1607, 1739, and 2107; Creswick to Wye River line, 1679, 2020, 2079, and 2101; Lubeck and Bayuyna, 1682; Murtoa and Sheep Hills, 1893 and 1909; Waterloo and Allambie East, 1883; Yarra Flats tramway, 1899; fires caused by locomotives, 1739 and 1747; Koo-wee-rup Swamp—Sherwood and Alberton Railway, 1769, 1812, 1922, 2029, 2053, and 2063; Creswick to Wye River line, 1769, 1920, 2079, and 2101; Latrobe and Bulla, 1820; and South Australian Border, 1849; Wandoong and Rosemount, 1862; Picnic to Oakleigh, 1857 and 2107; Coburg to Craigieburn, 1858; Beecar and Scarsdale, 1864, 1892, and 1896; Wallace and Bullarto, 1910; Beafront and Mount Cole, 1911; Heathcote and Sandhurst, 2011; limit of deviation, 2103; consideration of report, 2029, 2053, 2065, and 2101; Bill read third time, 2131–8; consideration of subsequent amendments, 2138 and 2146; Sandhurst and Axedale, 2138; Kerang and Kooroocrook, 2142; limit of expenditure, 2147; order of constructing lines, 2147; Bill passed, 2171; question by Mr. Anderson, 2437.

Railway Department—Question by Mr. Laurens, re issue of free passes to employes, 17; by Mr. Ramay, re Sydney return tickets, 19; by Mr. McLean, re officials' cattle, 20; by Mr. Duffy, re colour blindness, 56; by Mr. Blackett, re carriage of Grampian stone, 57; by Mr. Maegregor, re Emerald Hill fares, 94 and 240; by Mr. Fraser, re passage limits, 185; Mr. W. M. Clark, re the Ford Board, 135; by Mr. Zox, re carriages, 135; by Mr. Pearson, 360; by Mr. Ramay, Somerton flag station, 136; by Major Smith, re North Ballarat siding, 136; Mr. Munro, re unpunctuality of suburban trains, Gippstown line, 205 and...
Railway Department (continued)—
394; by Mr. James, re Ballarat trains, 208; by Mr. Walker, re Camberwell line, 209; return re divisions into which the railway system is divided, on motion of Mr. Egan; 276; resolution adopted on motion of Mr. Boissevain, 2713; by Mr. Deakin, re heroism of gatekeeper's daughter, 420; re Murumburra accident, 469; by Mr. McColl, re telegraph communication between stations on Windsor line, 470; by Mr. O'Callaghan, re gatekeepers on Horsham line, 470; by Mr. Fisher, re reward to Donoghue, 591; by Mr. Deakin, re Excursion trains, 669; by Mr. Wetherill, re South Yarra station umbrellas, 669; by Mr. Deakin, 669; votes discussed in Committee of Supply, 732; consideration of report, 752; question by Mr. Orkney, re crossing at junction of Flanders and Elizabeth streets, 793; by Mr. Bosisto, re Balmain-street (Richmond) crossing, 822; motion by Mr. Leaven, for select committee to meet the free pass, 841; debate adjourned, 842; order for resuming debate discharged, 1886; question by Mr. Wrixon, re Portland station, 852; by Mr. Laurens, re annual report, 852; discussion, re prosecution for libel, Wright v. Driscoll, raised by Mr. A. T. Clark, 853; question by Mr. Bosisto, re colour blindness, 857; by Mr. Gollan, re locomotive whistles, 857; by Mr. Hall, re water trains, 886; by Mr. Nimmo, re Mrs. Maling, 1027; by Dr. Quick, re North Brighton station, 1027 and 1032; by Mr. Kerferd, re duplication of North-Eastern line, 1032; by Mr. Deakin, re overcrowding of cattle trucks, 1145; by Mr. Munro, re R. G. Ford, 1147; by Mr. Langridge, re the late Constable Barrett, 1174; statement by Mr. A. T. Clark, re construction of locomotives, 1228; question by Mr. Laurens, 1296; by Mr. Williams, re Eaglehawk station, 1229; by Mr. Hall, re siding near Monea, 1229; by Mr. Maedgrog, re siding at Emerald Hill, 1239; by Major Smith, re Ballarat carter, 1239; by Mr. Smith, re guards of passenger trains, 1286 and 1596; by Mr. Langridge, re wages of gatekeepers, 1321 and 1365; by Mr. Berry, 1365; by Mr. Leaven, re telegraph offices at stations, 1476; by Mr. Hall, re pay of junior officers, 1499; statement by Mr. Bent, re steel rails and fishplates, 1599; question by Mr. Pearson, re Chewton station, 1599; by Mr. Davies, re porters, 1622; by Mr. Gardiner, re deputations, 1622; by Mr. Dow, re correspondence, 1623; by Mr. Roes, re medical examination of applicants for employment, 1698; by Mr. Mason, re shelter for produce, Gippsland line, 1716; by Mr. Langridge, re Sunday trains, 1716 and 1798; by Mr. Dow, re Cape Cope station, 1793; by Mr. Carter, re alterations on suburban lines, 1821; by Mr. Dow, re free passes, 1848; by Mr. Hall, re curves on the North-Eastern line, 1868; by Mr. Pearson, re carriage of stone, 1893; by Mr. Leaven, re sidings at Marcus Hill and Pettavel, 1977; by Mr. Harris, re Windsor station, 2000; by Mr. Grondona, 2009; by Mr. Richardson, re Ballarat and Creswick fares, 2034; by Sir John O'Shanassy, re western district

Railway Department (continued)—
trade, 2098; by Mr. Wrixon, re traffic rates between Hamilton and Portland, 2113; by Mr. Deakin, re buffers, 2113 and 2582; by Mr. Richardson, re ladies' compartment, 2113; by Mr. Dow, re Echuca station, 2144; by Mr. Hall, re refreshment rooms, 2205; by Mr. Deakin, re Glisborne, 2205; by Mr. Hunt, re labourers' wages, 2233; by Mr. Longmore, re Kensington-hill purchase, 2334 and 2375; by Mr. Deakin, re Kensington and Newmarket stations, 2375; papers re Kensington-hill purchase ordered, on motion of Mr. Longmore, 2408; question by Mr. Williams, re carriages for ladies, 2491; by Mr. Dow, re Swanwater station, 2521; by Mr. Carter, re loading trucks, 2521; by Mr. Dow, re wheat shipments and wharf accommodation, 2581; by Mr. Patterson, re employing railway navvies as agricultural labourers, 2581; by Mr. Fincham, re locomotives, 2595; by Mr. Dr. Madden, re closer accommodation, 2907. (See Hobson's Day Railway; also Kensington Hill, Scrap Iron, Railway Ballast Contracts, Railway Rolling-stock, and Railway Workshops.)

Railway Employes—Eight Hours System—Question by Mr. R. Clark, 57; by Major Smith, 247; motion by Mr. R. Clark, "That the eight hours system be at once adopted on the Victorian railways," 838; debated, 839; debate adjourned, 841; questions by Mr. Walker, 1147; debate on Mr. R. Clark's motion resumed, 1286; amendment by Mr. Walker for the adoption of the eight hours system "in all Government departments where practicable," 1287; debate continued, 1287; adjourned, 1273; order for resuming debate discharged, 1429; question by Mr. R. Clark, 1518; by Mr. Bowman, 2935.

Railway Employes Bill—Brought in by Mr. A. T. Clark, and read first time, 1498.

Railway Extension—Question by Mr. Duffy, re Lancefield and Heathcote, 594; by Mr. Langridge, re South Muir South border, 1564; by Mr. Connor, 1423; by Mr. Mason, re Great Southern Railway, 1382; by Mr. Williams, re Swan Hill, 1423 and 1476; by Mr. Nimmo, re Elwood, 1440; by Mr. Carter, 1523; by Mr. Cameron, re Whittlesea, 1570; by Mr. Richardson, re Creswick to Daysford, 1716; by Mr. R. Clark, re Sandhurst to Heathcote, 2034.

Railway Junction at Albury—Question by Mr. Munro, 9.

Railway Loan (1881) Application Bill—Brought in by Sir Bryua O'Loghlen, and read first time, 1623; question by Mr. McLean, 2209; second reading, 2279—83; considered in committee, 2283; read third time, 2295.

Railway Rolling-stock—Question by Mr. Fincham, re manufacture of carriages in England, 15; re timber for carriages, 16; subject of ordering railway plant from England debated on motion for address in reply to Governor's speech, 29, 66, 154, 175, 185, and 284; questions by Mr. Hunt, re locomotives, 57; by Mr. Zox, re designs for carriages, 1390; by Mr. Munro, re order on Sandhurst firm, 278 and 852; by Mr. Pearson, 320; motion by Mr. Woods, for reports re colonial mountain ash, agreed to,
LEGISLATIVE ASSEMBLY.

Railway Rolling-stock (continued)—
841; statement by Mr. Bent, re purchase of locomotives, &c., 1100; subject debated on second reading of Temporary Advances (Railways) Bill, 1155 and 1230; question by Mr. Munro, re importation of locomotives, 1365. (See Pharnix Foundry Company.)

Railways authorized by Acts of Parliament. (See Hawthorn and Lilydale Railway; also Alphington, Bacchus Marsh, Camperdown, Coburg, Mirboo, Wypeproof, Yarrawonga, and Yea Railways.)

Railway Stations—Question by Mr. Mason, re Darnum, 94; by Mr. Barr, re Maryborough, 94; re Dunkes, 94; by Mr. Fincham, re Howitt-street, Ballarat, 94; re No. 18 gate, Ballarat line, 94; by Mr. Wheeler, re Bul­larto, 669; by Mr. Simmo, St. Kilda line, 695; by Mr. Launora, re North Melbourne, 1379; subject of station accommodation at Melbourne discussed in committee on the Railway Construction Bill, 1469, 1512, and 1521; question by Mr. Hail, re Balmain, 1459; by Mr. O'Callaghan, re Lubeck and Mel­bourne, 1518 and 1541; by Mr. Dow, re Dark­broke, 2033 and 2034; by Mr. Brophy, re goods sheds, Warrenheip and Gordons line, 2098; by Sir John O'Shanassy, re Spencer-street station, 2548.

Railways Management Bill—Brought in by Mr. Bent, and read first time, 2703-4; question by Mr. Walker, 2707 and 2841; by Mr. Kerferd, 2768; Governor's message brought down, 2907.

Railway Workshops—Question by Mr. O'Cal­laghan, re Horsham, 1382; subject of con­structing new locomotive shops, &c., dis­cussed in committee on the Railway Con­struction Bill, 1466 and 1510.

Rainfall in Victoria—Question by Mr. Gillies, 1716.

Ramsay, Mr. Robert (E. Bourke)
Alphington Railway, 18.
Railway Department—Sydney Return Tickets, 19; Somerton Flag Station, 136; Ballast Contracts, 139.
(Death announced, 301.)

Rees, Mr. John (Grant)
Administration of the Lands Department—Illegal Fencing, 1792.
Bacchus Marsh Railway, 823.
Cowie's Creek Station Reserve, 1715.
Grants to Water Trusts, 789.
Magistrates, 629.
Railway Construction Bill, 1753, 1785, and 1830.
Railway Department—Medical Examinations, 1688.
State School at Parwan, 822.
Wattle Bark, 172.
You Yangs Timber Reserve, 1481.

Regulation of Mines Statute, Amendment of—Question by Mr. James, 2876. (See Mines, Regulation of.)

Reserves—Question by Mr. O'Callaghan, 18; return ordered, on motion of Mr. Connors, 423; question by Mr. Bell, 975. (See Parks and Gardens; also Forests.)

Residence Areas Act—Question by Mr. R. Clark, 2183.

Richardson, Mr. Richard (Creswick)
Administration of the Land Law—Land Dis­pute at Cooonoora, 421, 1150, 1153, 1745, and 2492; Selectors' Water Frontages, 1094; Land at Glengower, 1365; 110th Section Reserves, 1404; Sales by Auction, 1816; Timber Reserves—Land at Wombat, 2928.
Bailiwicks Boundaries Act Amendment Bill, 1264.
Budget, 725 and 870.
Christmas Holidays, 2913.
Coburg Railway, 1060.
Coranderrk Aboriginal Station, 367, 474, and 783.
Council Elections (1882) Act Amendment Bill, 1047.
Council Electoral Rolls, 563.
Council Electors (Licensees Qualifying) Bill, 1031.
Council Supplementary Rolls (1882) Bill, 1891.
Creswick Mining Dissector, 2878.
Disease in Vines, 751.
Education Commission, 134.
Electors' Rights, 591.
Erection of State Schools, 2412 and 2982.
Estimates, 3091.
Expanding Laws Continuation and Amendment Bill, 2920.
Forest Conservation, 1481.
Governor's Speech, 150.
Hawthorn Railway Collision, 2583 and 2813.
Irish Question—Conduct of Members, 401 and 550.
Land Acts Continuation and Amendment Bill, 403, 1099, 2108, and 2190.
Liquor Traffic—Local Option, 1184.
Loans Redemption Bill, 2426.
Local Government Laws Amendment Bill, 403.
Magistrates, 280 and 322.
Melbourne Tramway and Omnibus Company's Bill, 930 and 1095.
Miners' Residences Bill, 2720.
Miners' Wages, 2548.
Mining Companies' Calls and Forfeitures Vali­dating Bill, 2111, 2112, and 2609.
Mr. Elsdon, 245.
Mr. Joseph Geary, 2549.
Mr. Hall, 971.
Mr. E. H. Hargreaves, 748.
Mr. A. R. Walls, 8 and 22.
Model Farm, 418.
Notice-paper—Alteration of Questions, 1364.
Private Members' Business, 1796.
Publicans' Licenses—Special Districts, 484, 744, and 992.
Railway Ballast Contracts, 151, 383, and 651.
Railway Department—Locomotives, 1439.
Sunday Trains, 1794; Ballarat and Cres­wick Fares, 2034; Ladies' Compartments, 2113.
Railway Extension—Creswick and Daylesford, 1716.
Railway Loan (1891) Application Bill, 2284.
INDEX.

Sandhurst Lands Vesting Bill (continued)—
Mr. R. Clark, 736; Mr. Langridge, 738; Mr. Williams, 739; Mr. Zox, 739; Mr. Berry, 740; Mr. McColl, 740; Mr. Munro, 740; Sir John O'Shanassy, 740; Mr. Laurens, 749; Mr. Duffy, 741; Mr. Longmore, 741; Mr. Gillies, 741; amendment withdrawn, and Bill read second time, 741; referred to select committee, 916; committee's report brought up, 1292.

Sandhurst Public Buildings Sites Bill—Brought in by Mr. Burrowes, and read first time, 404; read second time, 490-1; passed through committee, 451; Bill declared by Speaker to be a private Bill, 682; motion by Sir Bryan O'Loghlen that the Bill be treated as a public Bill, 589; withdrawn, 583; motion by Mr. Burrowes that the Bill be treated as a public Bill, 659; agreed to, 660; Bill read third time, 660.

Scarsdale Railway—Question by Mr. Davies, 20; by Major Smith, 321; by Mr. A. Young, 1364.

Scrap Iron, Exportation of—Question by Mr. Mirams, 1423; by Mr. Longmore, 2905 and 2291.

Seamen, Complaint by—Questions by Mr. Longmore, 2208 and 2291. (See Assault on the High Seas.)

Sebastopol and Durham Leads—Question by Mr. Davies, 173.

Selections on the Northern Plains, Seed Wheat for—Question by Mr. McColl, 469.

Serpentine Weir. (See Water Supply.)

Sessional Arrangements—Appointment of days of sitting, 326; standing committees, 326; question by Mr. Blackett, re earlier sittings, 2408. (See Motions for the Adjournment of the House; also Order of Business and Private Members' Business.)

Sheils, Mr. William (Normandy)
Asking Questions, 1085.
Coranderrk Aboriginal Station, 364.
Council Elections (1882) Act Amendment Bill, 1046.
Loans Redemption Bill, 2357.
Married Women's Property Act Amendment Bill, 2038.
Parliamentary Costs—Taxing Officer, 2182.
Railway Ballast Contracts, 357 and 358.
Railway Construction Bill, 994, 1049, 1050, 1052, 1057, 1120, 1207, 1209, 1392, 1394, 1459, 2133, 2168, 2185.
Railway Loan (1881) Application Bill, 2258.
Taxation, 871.

Shuttleworth, Mr. W.—Case of. (See Customs Department.)

Silf, Deposit of. (See Melbourne Harbour Trust.)

Skinner, Judge—Question by Mr. Levien, 278; by Mr. Fisher, 662.

Small-pox—Question by Mr. Duffy, 136; by Mr. Zox, 178 and 1920; by Mr. Walsh, 429 and 523. (See Contagious Diseases Hospital; also Vaccination.)

Smith, Major W. C. (Ballarat West)
Administration of the Land Law—Illegal Fencing, 179; Residence Areas at Queens-cliff, 2783 and 2941.

Avoca Water Trust, 2010.

RICHARDSON, Mr. RICHARD (continued)—Railway Works—Expenditure under Loans, 1443 and 1464.
Sandhurst Public Buildings Sites Bill, 480.
Trade Unions Bill, 742, 1571, 1576, 1578, and 2035.
Tramways Bill, 2289.
Water Supply—Grants to Water Trusts, 728 and 757; Loans to Local Bodies, 1488.
Yea Railway, 1491.

Richmond Corporation Quarry—Questions by Mr. McColl, re stone for street making, 1717 and 1739.

Rifle Clubs—Question by Mr. Dow, 1623; by Mr. Deakin, 1977. (See Volunteer Force.)

Rivers—Question by Mr. McColl, re minimum and maximum flow of Victorian rivers, 978.

Roads, Closed—Questions by Mr. Longmore, re swing-gates, 857; motion by Mr. Longmore against payment of subsidy to any municipality except upon condition that at least one-eighth of the mileage of the roads at present illegally closed within such municipality shall have been opened," 1609; debate adjourned, 1510; statement by Mr. Fisher limiting the motion to "roads required for public traffic," 2042; debate continued by Mr. Longmore, 2043; Mr. C. Young, 2046; Mr. Pearson, 2047; Dr. Madden, 2048; Mr. Berry, 2049; Mr. Robertson, 2052; Sir Bryan O'Loghlen, 2053; debate adjourned, 2053.

Roads, Grazing on—Question by Mr. Anderson, 1398.

Robertson, Mr. William (Polwarth and South Granville)
Closed Roads, 2062.
Exclusion of Strangers, 942.
Forest Conservation, 1481.
Grants to Water Trusts, 791.
Judicature Bill, 623.
Melbourne Tramway and Omnibus Company's Bill, 928.
Melbourne Municipal Elections, 1350.
Railway Ballast Contracts, 392 and 635.
Railway Construction Bill, 1736, 1753, 1864, and 1892.
Wattle Planting, 172, 1460, and 1463.

Royal Park. (See Model Farm.)

St. George's Hall, Melbourne—Question by Mr. Zox, 2876; statement by Mr. Zox, 2904; by Mr. Grant, 2905; discussion thereon, 2006; further question by Mr. Zox, 2008; statement by Mr. Grant, 2933. (See Places of Public Resort.)

Sale Gaol—Question by Mr. McKean, 2614.
Sandhurst Lands Vesting Bill—Brought in by Dr. Quick, and read first time, 404; second reading moved by Dr. Quick, 472; debated by Mr. Kerferd, 474; debate adjourned, 474; resumed by Mr. Carter, "That the Bill be read a second time this day six months," 736; debate continued by

46
SMITH, Major W. C. (continued)—
Ballarat and Creswick State Forest, 1477 and
1479.
Ballarat Benevolent Asylum, 1644.
Ballarat Telephone Company, 2009.
Ballarat Stock Exchange, 1567.
Budget, 538.
Christmas Holidays, 2912.
Constable Quitter, 246.
Council Elections (1882) Act Amendment Bill,
1044.
Council Electoral Rolls, 606.
Council Electors (Licensees Qualifying) Bill,
1545 and 1567.
Creswick Mining Disaster, 2842 and 2884.
Defence of the Colony, 1038, 1039, 1065, and
2064.
Employés in Shops Commission, 447, 592, 2100,
and 2707.
Federation, 1656.
Floating of Loans, 2015.
Governor’s Speech, 96.
Hawthorn Railway Collision, 2743 and 2842.
Inland Bonding Warehouses, 36.
Irish Question—Conduct of Members, 540.
Kelly Reward Fund, 695.
Land Acts Continuation and Amendment Bill,
2728.
Loans Redemption Bill, 2353.
Melbourne Tramway and Omnibus Company’s
Bill, 524.
Miners’ Requirements, 761.
Mining Companies Act Amendment Bill, 1875
and 2388.
Mining Companies’ Calls and Forfeitures Vali-
dating Bill, 1810, 1849, 2110, and 2608.
Mr. Joseph Geary, 2289, 2290, 2335, 2438, and
2706.
Mr. W. Shuttleworth, 1494.
Newspaper Paragraphs—Personal Explanations,
1743 and 1744.
North Ballarat Siding, 136.
Numbering Debentures, 1542.
Order of Business, 2190 and 2203.
Privilege—Dr. Madden and the Age, 1353.
Public Instruction—School Teachers, 370;
Education Commission—Administration of
the Department, 429 and 695; Erection of
School Buildings, 884, 1194, and 2923.
Public Service, 2549.
Railway Construction Bill, 1045, 1283, 1307,
1377, 1470, 1510, 1537, 1633, 1833, 1834,
1866, 2013, and 2026.
Railway Department—Eight Hours System,
247, 289, and 1273; Ballarat Cattle Yards,
1263; Appointment of Employés, 2897.
Railway Rolling-stock, 1108.
Regulation of Mines—Engine-drivers, 2063.
Scarsdale Railway, 321.
Sebastopol and Durham Leads, 173.
State Forests, 629.
Tea Duty, 843.
Temporary Advances (Railways) Bill, 1162,
1225, 1245, 1249, 1253, 1255, and 1259.
Trade Unions Bill, 1576, 2009, and 2723.
Unlawful Proceedings Law Amendment Bill,
2449.

SMITH, Mr. L. L. (Richmond)—
Deutists Registration Bill, 1296.
Diseases in Animals Bill, 404.
Dr. Edward Barker, 1927.

SMITH, Mr. L. L. (continued)—
Factories Act, 2809.
Hawthorn Railway Collision, 2697 and 2743.
Legal Profession Bill, 1428.
Liquor Traffic—Local Option, 1194.
Melbourne Tramway and Omnibus Company’s
Bill, 675, 2273, and 2376.
Ordinary Business—Land Bill v. Railway Bill,
1037.
Publicans’ Licences—Special Districts, 486.
Public Service, 2207.
Railway Ballast Contracts, 141.
Railway Construction Bill, 1122, 1398, 1806,
St. George’s Hall, 2905.
Six Charles Mac Mahon and Mr. Bent, 2340.
Standing Orders Committee’s Report, 937.
Sunday Railway Trains, 1794.
Trade Unions Bill, 1678.
Veterinary Surgeons Bill, 2704.
Yarra Bank Lands, 1381.

Speaker, Absence of—Mr. Cooper acts as Deputy
Speaker, 1057.

SPEAKER, Hon. the (the Hon. Peter Lalor)—
Rulings of—
Address in reply to the Governor's speech,
320.
Amendments on Budget proposals, 696, 703,
and 708; on the question that the Speaker
do leave the chair, 2462.
Attendance of a member of the Assembly be-
fore the Legislative Council, 2437.
Ballots, 390.
Bills—Bill not before the House, 398, 400,
and 403; Bills incidentally appropriating
revenue, 978; restoration of Bill to notic-
epar after being negatived on second reading,
1896 and 2109; third reading of unamended
Bills, 1963; amendments practically appro-
priating money, 2271; notice of new clauses,
2278; discussion on motion for leave to
introduce a Bill, 2703.
Carolin v. Sands, 1032 and 1040.
Complaints re proceedings in committee of the
whole House, 1895.
Conferences with the Legislative Council,
1383, 1384, and 1403.
Debate— Interruption of a member while
speaking, 84, 461, and 2027; speaking in-
terrogatively, 84 and 833; improper
imputations, 108, 2271, 2384, and 2858;
letters or papers read or quoted from
in debate, 219, 322, 333, 763, 1209, 2669,
2703, 2710, and 2713; quotations by mem-
bers from their own speeches, 306; quota-
tions from newspapers, 448, 761, 2104, and
2776; reference to a member as a “tool,”
460; acceptance of denials, 643, 762, and
2026; assertion that a member’s statement
is false, 763; “improper course of obstruc-
tion,” 1985; hypothetical cases, 1509;
mutations for adjournment, 1970; reflections
on the moral character of persons outside,
2015; flat contradictions, 2027; right of
reply, 2170; threatening a member, 2617;
reading of anonymous communications, 2713
and 2841; statement that members “have
been got at,” 2767; charging an honorable
member with “deliberately slandering
members, 2778; reflections on religious
bodies, 2867.
INDEX.

SPIEAKER, Hon. the (continued)—
Governor's instructions, 2922.
Hansard, 2837.
Legislative Assembly Chamber—Electric
bells, 323, 324, 2407, and 2408; electric
light, 1980; ventilation, 1980; telephonic
communication, 2183 and 2870.
Melbourne Harbour Trust Act Amendment
Bill, 1936.
Melbourne Tramway and Omnibus Company's
Bill, 923, 1955, 1967, 1968, 2378, 2523, and
2526.
Mordialloc Railway, 944 and 1066.
Motions—For the adjournment of the House,
248, 368, 761, 1228, 1365, and 1947; motions
"unopposed," 295; to anticipate business on
the paper, 1382, 1626, 1979, 1980, and 2934;
renewal of motions withdrawn, 1500; mo-
tions proposed pro forma, 1744; motions
without notice, 1793.
Newspaper extracts, 448, 761, 2104, and
2776; newspaper accusations against members,
1349; complaints respecting newspaper
paragraphs, 1742 and 1743.
Notice-paper, 1174.
Orders of the Day—Discussion of the subject
of standing orders, 919 and 1364.
Personal Explanations, 140, 392, 447, 468,
524, and 761.
Petitions, 8, 881, 2033, and 2705; re private
Business, 2439.
Previous question, 547, 548, and 2803.
Private Bills, 1746, 1795, 1797, 1799, 1936,
1969, 2378, 2440, 2615, and 2616.
Private conversations between members, 459.
Privilege—When notice of motion required,
370, 371, and 372; the Age, 1349, 1350,
2781, and 2782.
Questions to Ministers—Form of, 172, 173,
278, 1034, and 1404; questions re newspa-
per paragraphs, 290; asking questions,
360, 447, 449, 943, 1032, 1114, 1228, 1365,
and 2583; interpretation of questions, 971;
alteration of notices, 1032, 1329, 1363, and
1364.
Railway Construction Bill, 2133; Koo-weet-
rup Swamp, 2077.
Sandhurst Lands Vesting Bill, 736.
Sandhurst Public Buildings Sites Bill, 480 and
482.
Support of the Speaker by the House,
1646.
Suspension of standing orders, 919 and 920.
The late Clerk of the Assembly, 396, 419,
and 524.
Use of the phrase "a brutal law," 448; of
term "disrespectful to the Throne," 450; of
offensive language, 929; of the word "im-
pudent," 1368; of the word "untruthful,"
1451; of the phrase "a squatters' advoca-
cate," 1509; of the term "corruption,"
2083; of the phrase "brutally treated the
whole House," 2137; of the phrase "you
are speaking rot," 2757; of the word "equivocate,"
2854; of the word "rotten,"
2846.
Spencer-street Railway Station. (See Railway
Stations.)
Stock, Imported—Tax on—Questions by Sir
John O'Shanassy, 472 and 2876; by Mr.
Mirrands, 2064 and 2294.
Strangers ordered to withdraw, 942 and 1821.
Sunbury Lunatic Asylum—Mr. Baldwin's Dis-
m issal. (See Lunatic Asylums.)
Sunday Trading. (See Public-houses.)
Supply—Preliminary resolution adopted,
319; Budget submitted by Sir Bryan O'Loghlen,
435; voting of Estimates for 1882-3 pro-
ceded with, 710; Legislative Council, 727;
grants in aid of water trusts, 727; Railway
defence of the colony, 799.
Supreme Court Bill—Received from Legislative
Council, and read first time, 1644.
Supreme (New) Court—Question by Mr. Munro,
490; by Mr. Kerferd, 1476; statement by
Mr. Bryan O'Loghlen, 2409; by Mr. Long-
more, 2408; discussion thereon, 2410; ques-
tion by Mr. McKean, 2722. (See Loans,
Expenditure under.)
Taking Down of Words, 928.
Taxation—Remissions indicated by Sir Bryan
O'Loghlen in Budget speech, 436; state-
ment by Sir Bryan O'Loghlen, 490; motion
by Mr. St. Peteris (submitted as an amend-
ment on the order for going into Committee of
Supply) declaring it "inopportune and un-
desirable to make the remissions proposed
by the Government," 681; Sir Bryan O'Loghlen intimates that the motion must
be treated by the Ministry as a motion of
want of confidence, 691; adjournment of
the House in consequence, 699; the Speaker
rules that Mr. Francis' proposition should
be treated by the Ministry as a motion of
want of confidence, 691; adjournment of
the House in consequence, 699; the Speaker
rules that Mr. Francis' proposition should
be treated by the Ministry as a motion of
want of confidence, 691; adjournment of
the House in consequence, 699; the Speaker
rules that Mr. Francis' proposition should

Taxation (continued)—
be submitted in Committee of Supply, 696; Mr. Francis expresses his willingness to
take that course, 696; subject debated, 696; motion by Mr. Mirams, "That the proposed
amendment is in order and should be put from the chair," 707; debate continued,
707; Mr. Mirams’ and Mr. Francis’ propositions withdrawn, 710; subject of Mr.
Francis’ proposition discussed in Committee of Supply, 711; statement by Sir Bryan
O’Loghlen, re altered proposals of the Government, 738; statements by Mr. Francis,
879 and 913; resolutions for the continuance of the tobacco duties carried,
707; debate adjourned, 752; question by Mr. Levien, 1032 and 1066; motion carried, 1274; progress report

Tobacco Duties Bill—also Tea Duty and Tobacco Duties Bill.’

Tea Act Regulations—Question by Mr. R. Clark,
Tea Duty—Motion by Mr. Hall for repeal, 2493; debated, 2494; negatived, 2494.
Telegraph Department. (See Postal Department.)
Telegraph Extension—Question by Mr. McColl, re Prahran, 470; by Mr. O’Callaghan, re Natimuk, 1821; by Major Smith, re Ballarat Stock Exchange, 1867.
Telephonic Communication. (See Postal Department; also Telegraph Extension and Government Buildings.)
Temperance Processions. (See Dowie, Rev. J. A.)
Temporary Advances Bill—Governor’s message brought down, 1094; considered in committee, 1116; resolution for an appropriation agreed to, 1116; reported and adopted, 1116; Bill brought in, and read first time, 1165; second reading moved by Sir Bryan O’Loghlen, 1154; debated by Mr. Langridge, 1157; Mr. Woods, 1158; Major Smith, 1182; Mr. Patterson, 1184; Mr. Zox, 1185; Mr. Bell, 1166; Mr. Mirams, 1168; Mr. R. Clark, 1179; Mr. Macgregor, 1171; Mr. Fincham, 1172; Mr. Longmore, 1173; debate adjourned, 1174; resumed, 1201; Bill read second time, 1201; considered in committee, 1202 and 1230.
Temporary Advances Bill (No. 2)—Governor’s message brought down, 2388; considered in committee, 2388; resolution for an appropriation agreed to, 2388; reported and adopted, 2388; Bill brought in, and read first time, 2388; second reading, 2408-9; considered in committee, 2409; third reading, 2413-4.

Timber Reserves. (See Land Law, Administration of.)
Titles-office—Return re appointment of Commissioner of Titles ordered, on motion of Mr. Orkney, 838; question by Mr. Tucker, re safety of building, 1069 and 1115; by Mr. McKeen, re professional staff, 1696; by Mr. Longmore, re application under the Real Property Act, 1955; by Mr. Orkney, re protection against fire, 1980.

Vaccination—Questions by Mr. Davies, 629 and 1058; by Mr. Gardiner, 2757 and 2907. (See Smillie’s.)
Veterinary Surgeons Bill—Brought in by Mr. L. L. Smith, and read first time, 2704.
Victorian Order of Merit—Question by Mr. Woods, 2907.
Veterian Rifle Association—Question by Mr. Dow, 1678.
Vicinity-street Bridge—Question by Mr. McColl, 1926.
Vines, Disease in—Question by Mr. Levien, re Waurn Ponds vineyard, 322; motion by Mr. Levien for select committee re compensation to vignerons in the Geelong district, 749; debated, 750; debate adjourned, 752; question by Mr. Levien, 1032 and 1065; motion carried, 1274; progress report

TOOLE, M. M. (Villicans and Heytesbury)
Irish Question—Conduct of Members, 454.
Railway Construction Bill, 1053 and 1642.

Totalizator, The—Question by Mr. Dow, 482; by Mr. McKeen, 421.
Trade Marks Statute—Question by Mr. McKeen, 421.
Trade Unions Bill—Question by Mr. R. Clark, 591; Bill brought in by Mr. Richardson, and read first time, 742; second reading, 1371-4; considered in committee, 1574 and 2035; read third time, 2035.
Tramways Bill—consideration continued, see (See Legislative Council, and read first time, 2289.

Tree Planting. (See Public Instruction—School Reserves; also Wattle Bark.)

Trusts. (See Statute of Trusts Amendment Bill.)

TUCKER, M. A. L. (Fitzroy)
Christmas Holidays, 2915.
Coburg Railway, 1000.
Customs Department—Mr. W. Shuttleworth, 1497; Extra Weighter, 2395.
Defence of the Colony, 808.
Fitzroy Post-office, 2438 and 2934.
Floating of the £4,000,000 Loan, 1364.
Government Annuities and State Life Assurances, 2438.
Melbourne Tramway and Omnibus Company’s Bill, 828, 917, 931, 1807, 2216, 2270, 2274, 2276, 2376, 2378, 2382, 2440, 2443, 2528, 2618, 2023, 2717, 2718, and 2916.
Public Instruction—School Buildings, 558, 571, 581, and 926; Rifle Classes, 1646.
Public Service—Appointments and Promotions, 820, 945, 1094, 1698, 2206, and 2549.
Railway Construction Bill, 1337, 1536, 1703, and 2073.
Railway Department—Eight Hours System, 1273.
Titles-office, 1066 and 1115.

University of Melbourne Law Further Amendment Bill—Received from Legislative Council, and read first time, 2388.
University Reserve, Public Avenue through—Questions by Mr. Gardiner, 58 and 98; statement by Mr. Gardiner, 1292.
Unlawful Processions Law Amendment Bill—Brought in by Major Smith, and read first time, 2449.

Vaccination—Questions by Mr. Davies, 629 and 1058; by Mr. Gardiner, 2757 and 2907. (See Smillie’s.)
Veterinary Surgeons Bill—Brought in by Mr. L. L. Smith, and read first time, 2704.
Victorian Order of Merit—Question by Mr. Woods, 2907.
Victorian Rifle Association—Question by Mr. Dow, 1678.
Victoria-street Bridge—Question by Mr. McColl, 1926.

Vinea, Disease in—Question by Mr. Levien, re Waurn Ponds vineyard, 322; motion by Mr. Levien for select committee re compensation to vignerons in the Geelong district, 749; debated, 750; debate adjourned, 752; question by Mr. Levien, 1032 and 1065; motion carried, 1274; progress report

Sess. 1882.—d
INDEX.

Vines, Disease in (continued)—
brought up and adopted, 1948; question by Mr. Cunningham, 2544; by Mr. Longmore, 2545.

Vine Disease Act Amendment Bill—Brought in by Mr. C. Young, and read first time, 2703; question by Mr. Bosisto, 2708; second reading moved by Sir Bryan O’Loghlen, 2945; statement by Mr. C. Young, 2945; motion debated by Mr. Berry, 2949; by Mr. Bosisto, 2946; by Mr. Longmore, 2946; by Mr. Walsh, 2947; by Mr. Pearson, 2948; by Mr. Munro, 2948; Mr. Zox, 2949; Mr. Blackett, 2949; debate adjourned, 2950.

Visitors—Accommodated with chairs on the floor of the House—Mr. William Moore, 9; Sir Henry Parkes, 1403; Mr. Alfred Catt, 2785.

Volunteer Force—Questions by Mr. Woods, 422, 1541, 1623, and 2375; by Major Smith, 1036, 1094, 1860, and 2094. (See Defence of the Colony; also Rifle Clubs.)

Votes on Account—Granted in Committee of Supply, 829, 1628, 2495, and 2505.

Wahgunyah Bridge—Question by Mr. McIntyre, 8; by Mr. Hall, 562.

Walker, Mr. W. F. (Boroondara)—Introduced and sworn, 8.

Budget, 546.

“Cup” Day, 2227.

Defence of the Colony, 813.

Federation, 1067.

Governor’s Speech, 159.

Hawthorn and Lillydale Railway, 135, 209, 279, and 280.

Hawthorn Railway Collision, 2828 and 2861.

Irish Question—Conduct of Members, 613.

Land Acts Continuation and Amendment Bill, 2946.

Liquor Traffic—Local Option, 1189.

Loans Redemption Bill, 2423 and 2445.

Melbourne Harbour Trust Act Amendment Bill, 1938.

Melbourne Storage Company, 321.

Melbourne Tramway and Omnibus Company’s Bill, 832, 2122, and 2528.

Mr. W. Shuttleworth, 1493.

Municipal Endowment, 1570.

Order of Business, 1074, 2188, and 2204.

Public Service, 1148.

Railway Ballast Contracts, 350 and 386.

Railway Construction Bill, 1110, 1118, 1133, 1283, 1303, 1395, 1396, 1398, 1410, 1469, 1510, 1526, 1591, 1609, 1681, 1683, 1739, 1762, 1814, 2058, and 2166.

Railway Department—Station Omnibus, 608; Banking Clerks, Hours of Labour, 1147; Eight Hours System, 1267; Metropolitan Stations, 1445.

Railways Management Bill, 2707 and 2841.

Reading of Letters in Debate, 2712.

State School at Kew, 1194 and 2924.

Temporary Advances (Railways) Bill, 1201 and 2210.

Trade Unions Bill, 1678.

Water Supply—Grants to Water Trusts, 789.

Wattle Planting, 1464.

Wallis, Mr. A. R.—Case of—Question by Mr. Richardson, 9; papers ordered, on motion Wallis, Mr. A. R. (continued)—of Mr. Richardson, 22; produced, 22; subject of Mr. Wallis’ dismissal debated on motion for address in reply to Governor’s speech, 27, 56, 63, 162, 166, 177, 266, and 283; statement by Mr. C. Young, 59; by Mr. Cooper, 94.

Walsh, Mr. Frederick (E. Melbourne)

Betting and Gaming Houses Suppression Law Amendment Bill, 1881 and 1885.

Broken Creek Waterworks, 1066.

Budget, 507 and 879.

Building Societies Act Amendment Bill, 582.

Christmas Holidays, 2916.

Council Electors (Licensees Qualifying) Bill, 1563.

Factories and Workshops Bill, 886.

Governor’s Speech, 237.

Land Acts Continuation and Amendment Bill, 1070 and 2238.

Liquor Traffic—Local Option, 1188.

Loans Redemption Bill, 2436 and 2431.

Melbourne Harbour Trust Act Amendment Bill, 1943.

Melbourne Tramway and Omnibus Company’s Bill, 670, 925, 1849, 1860, 2117, 2299, 2277, 2279, 2377, 2387, 2447, 2528, 2618, and 2717.

Mining Leases, 951.

Mr. E. H. Harrigreaves, 748.

Mr. Longmore, 1397.


Model Farm, 408.

Municipal Loans, 21.

Old Colonists’ Association Bill, 472.

Parliament House—Stone for West Front, 2414 and 2476.

Police Offences Statute Amendment Bill, 1717.


Railway Ballast Contracts, 389.

Railway Construction Bill, 986, 1119, 1124, 1133, 1134, 1384, 1386, 1533, 1588, 1591, 1593, 1602, 1630, 1641, 1675, 1699, 1748, 1853, and 1911.

Railway Works—Expenditure under Loans, 1441 and 1446.

Small-pox, 420.

State School at East Melbourne, 2412.

Temporary Advances (Railways) Bill, 1258 and 1269.

Vine Disease Act Amendment Bill, 2947.

Waterworks—Revenue and Expenditure, 695.

Yan Yean Water Supply, 591.

Wareek, Road at—Motion by Mr. Barr, for papers, 1500; debated, 1500; withdrawn, 1501.

Warrnambool Harbour Improvements. (See Western Ports.)

Water Conservation—Subject debated on motion for address in reply to Governor’s speech, 25, 29, 191, 210, and 281; in connection with the Budget, 439; grant in aid of water trusts discussed in Committee of Supply, 727; statement by Mr. Dow, re Northern Plains, 2090; by Mr. C. Young, 2092; discussion thereon, 2093; question by Mr. Dow, 2146; statement by Mr. Dow, 2437. (See Water Supply.)
LEGISLATIVE ASSEMBLY.

Water Conservation Act Amendment Bill—Brought in by Mr. C. Young, and read first time, 404.

Water Pipes, Importation of—Subject debated on motion for address in reply to Governor's speech, 28, 76, 163, 185, 223, and 292.

Water Supply—Questions by Mr. Fisher, re Serpentine weir, 16, 133, and 468; by Mr. McColl, 488; by Mr. McColl, re Mr. Gordon, 209 and 823; return of revenue and expenditure ordered, on motion of Mr. Walsh, 685; produced, 858; vote for waterworks in the northern areas discussed on report from Committee of Supply, 737 and 782; question by Mr. McColl, re Spring Gully reservoir, 764; by Mr. Hall, re Broken Creek, 944 and 1542; statements by Mr. C. Young, 970 and 1066; discussion thereon, 970; statement by Mr. Hall, 970; question by Mr. McColl, re Strathfeldays, 1027; statement by Sir Bryan O'Loghlin, re Broken Creek, 1040; question by Mr. McColl, re Croser reservoir, 1040; re Serpentine and Kinyonpial creeks, 1230; by Mr. Berry, re Goulong, 1477, 2009, 2064, and 2100; by Mr. McColl, re Colliban, 1792; by Major Smith, re Avoca Water Trust, 1978 and 2010; statement by Mr. McColl, re Strathfeldays, 1978; question by Mr. R. Clark, re Sandhurst, 2184; by Mr. O'Callaghan, re Dunmunkle, 2233; statement by Mr. C. Young, 2234; discussion thereon, 2234; expenditure on waterworks in country districts debated in connexion with Railway Loan Bill (1881) Application Bill, 2230; return ordered, on motion of Mr. Langdon, 2464; produced, 2464; question by Mr. McColl, re Gunbower Creek, 2808; by Mr. Langdon, re United Loddon Trust—waifs on the Avoca, 2907; by Mr. McColl, 2934; by Mr. McColl, re Echuca and Warranga Trust, 2934. (See Loans, Expenditure under; also Water Conservation and Yan Yean Water Supply.)

Wattle Bark—Questions by Mr. Bosisto, 171 and 172; statement by Mr. Robertson, 172; by Mr. O'Callaghan, 172; subject of wattle planting discussed during consideration of railway estimates, 1460; question by Mr. Mirans, 1477.

Ways and Means—Preliminary resolution adopted, 319; resolutions on which to found Consolidated Revenue Bills considered and adopted, 280, 1929, 2205, and 2292; resolutions on which to found Tobacco Duties Bill considered, 758, 842, 858, 887, and 940; adopted, 970.

Western Ports, Harbour Improvements at—Question by Mr. Francis, 2100 and 2183; by Mr. Wrixon, 2206; subject discussed in connexion with Railway Loan Bill (1881) Application Bill, 2282.

Wharfe Rates—Return ordered the previous session produced, 22.

WHEELER, Mr. J. H. (Creswick)
Budget, 966.
Ballarto, 669.
Carolus v. Sands, 1049.
Creswick Mining Disaster, 2809.
Customs Department—Mr. Reynolds, 763.
Deputy Registrar—Glennyon, 783.
Forest Conservation, 1480.
Governor's Speech, 66.
Hawthorn Railway Collision, 2700 and 2760.

WHEELER, Mr. J. H. (continued)
Irish Question—Conduct of Members, 622.
Land Dispute at Coomooro, 1152.
Melbourne Tramway and Omnibus Company's Bill, 834.
Mr. E. H. Hargreaves, 1434.
Public Instruction—School at Daylesford, 1475; Allandale, 2788; Erection of School Buildings, 2923.
Railway Ballast Contracts, 392 and 657.
Railway Trucks, 1441.
Temporary Advances (Railways) Bill, 1257.

WILLIAMS, Mr. H. R. (Mandurang)
Administration of the Land Law—Selectors' Rents, 50; Frontages to Lake Elizabeth, 1174; Alleged Dummy Cases—Echuca Inquiry, 1293 and 1287.
Amendment of the Electoral Law, 1116.
Aspinall v. Marks, 1228.
Budget, 930.
Cemeteries Statute Amendment Bill, 1580, 1582, and 1584.
Coal, 209.
Council Electors (Licensees Qualifying) Bill, 1604.
Creswick Mining Disaster, 2896.
Disease in Vines, 752.
Governor's Speech, 78.
Gunbower State Forest, 1285.
Kerang Post-office, 209.
Kerang Railway, 17 and 564.
Mandurang, 972.
Mining at Sandhurst—No. 180 Claim, 2065 and 2144.
Mining Leases, 82, 101, 102, 370, and 951.
Mining Regulations, 1263.
Mr. Grant and the Reform Bill, 1568.
Mr. E. H. Hargreaves, 746.
Mr. W. Shuttleworth, 1600.
Municipal Endowment, 1543.
North-Western Canal, 19.
Personal Explanations, 132 and 1716.
Railway Ballast Contracts, 387 and 389.
Railway Department—Eaglehawk Station, 1229; Eight Hours System, 1272; Carriages for Ladies, 2491.
Rochester Police Station, 857.
Sandhurst Lands Vesting Bill, 730.
Sandhurst Public Buildings Site Bill, 600.
Swan Hill Railway, 1423 and 1476.
Voted on Account, 2924.
Water Supply—Grants to Water Trusts, 730; Loans to Local Bodies, 1488.

Williamstown Breakwater, Extension of—Question by Mr. A. T. Clark, 1476.
Wills Statute Amendment Bill—Brought in by Mr. Duffy, and read first time, 742.

WILSON, Mr. William (Ararat)
Auriferous Land, 16.
Budget, 700 and 710.
INDEX.

WILSON, MR. WILLIAM (continued)—
Governor's Speech, 317.
Irish Question—Conduct of Members, 622.
Loans Redemption Bill, 2414.
Melbourne Tramway and Omnibus Company's Bill, 922.
Mr. E. H. Hargreaves, 1431.
Motions for the Adjournment of the House, 248.
Municipal Audits, 2493.
Railway Ballast Contracts, 382.
Railway Construction Bill, 991, 1123, 1330, 1386, 1388, 1408, 1410, 1511, 1534, 1691, 1693, 1708, 1862, 1864, 2140, 2143, and 2163.
Railway Department, 755.
Sessional Arrangements—Private Members' Business, 926.
Temporary Advances (Railways) Bill, 1220 and 1222.

WOODS, MR. JOHN (Stawell)
Assault on the High Seas, 2063.
Battle of Tel-el-Kebir, 1745.
Chinese, 1571.
Defence of the Colony, 733, 794, 1470, 1793, 1794, and 1795.
Grants to Water Trusts, 729.
Hawthorn Railway Collision, 2745 and 2758.
Informers, 2937.
Mining Companies' Claims and Forfeitures Validating Bill, 1849.
Mr. E. H. Hargreaves, 1430.
Mr. W. Shuttleworth, 1496.
Notice-paper—Alteration of Questions, 1035 and 1057.
Order of Business, 1089 and 2183.
Parliamentary Costs—Taxing Officer, 2181.
Portland Free Library, 2737.
Railway Ballast Contracts, 382.
Trade Unions Bill, 1574 and 1575.
Yan Yean 'Water Supply—Question by Mr. Walsh, 591; by Mr. Nimmo, 1115; by Mr. Orkney, 1476; by Mr. Carter, 2496.
Yarra Bank Lands, 1382.

WRIXON, MR. H. J. (Portland)
Amendment of the Electoral Law, 634.
Betting and Gaming Houses Suppression Law Amendment Bill, 1886.

WRIXON, MR. H. J. (continued)—
Budget, 697 and 861.
Coranderrk Aboriginal Station, 360.
Council Electoral Rolls, 563 and 669.
Council Electors (Licensees Qualifying) Bill, 1551.
Council Supplementary Rolls (1882) Bill, 1888.
Death of Mr. Ramsay, 391.
Defence of the Colony, 512.
Dr. Edward Barker, 1703, 1946, and 1952.
Education Commission, 134.
Federation, 1670 and 2699.
Governor's Speech, 165.
Hawthorn Railway Collision, 2680 and 2849.
Irish Question—Conduct of Members, 543 and 604.
Land Acts Continuation and Amendment Bill, 405.
Legal Profession Bill, 1265.
Liquor Traffic—Local Option, 1186.
Loans Redemption Bill, 2343 and 2423.
Married Woman's Property Act Amendment Bill, 2038.
Melbourne Tramway and Omnibus Company's Bill, 979 and 982.
Mining Companies' Claims and Forfeitures Validating Bill, 1849.
Mr. E. H. Hargreaves, 1430.
Mr. W. Shuttleworth, 1496.
Notice-paper—Alteration of Questions, 1035 and 1057.
Order of Business, 1089 and 2183.
Parliamentary Costs—Taxing Officer, 2181.
Portland Free Library, 2737.
Railway Ballast Contracts, 382.
Trade Unions Bill, 1574 and 1575.
Yan Yean 'Water Supply—Question by Mr. Walsh, 591; by Mr. Nimmo, 1115; by Mr. Orkney, 1476; by Mr. Carter, 2496.
Yarra Bank Lands, 1382.

WYCHEPROOF RAILWAY—Question by Mr. O'Callaghan, 1541.
Yan Yean Water Supply—Question by Mr. Walsh, 591; by Mr. Nimmo, 1115; by Mr. Orkney, 1476; by Mr. Carter, 2496.
(See Loans, Expenditure under; also Water Supply.)
Yarra Bank Lands—Question by Mr. Mirams, re sale of reclaimed land south of the Yarra, 1379 and 1424; statement by Mr. W. Madden, 1379; discussion thereon, 1379; questions by Mr. Longmore, re Gibbs
LEGISLATIVE ASSEMBLY.

Yarra Bank Lands (continued)—
and Mountain's lease, 1402; motion by Mr. Ma Happiness, re Mrs. Gordon, discussed and withdrawn, 1509; question by Mr. McColl, 1645; statement by Mr. W. Madden, 1645; discussion thereon, 1645; further questions by Mr. McColl, 1768 and 1979; statement by Mr. McColl, 2014; discussion thereon, 2016.

Yarrawonga Railway—Question by Mr. Hall, 1229.

Yea Railway—Questions by Mr. Hunt, 321, 394, and 1539; by Mr. Patterson, 1358; motion by Mr. Duffy for select committee re junction at Tallarook, 1490; debated, 1491; agreed to, 1492; leave given to committee to report the evidence from day to day, &c., 1570; committee's report brought up, 1644.

YOUNG, Mr. ALEXANDER (Grenville)
Public Instruction—Tennyson's New National Song, 247.
Railway Construction Bill, 1905.
Scaredale Railway, 1894.

YOUNG, Mr. CHARLES, Minister of Public Works, Agriculture, and Water Supply (Kyneton Boroughs)
Administration of the Land Law—Illegal Fencing, 1792; Sales by Auction, 1818.
Agricultural College, 2576.
Carlton Quarry Holes, 18 and 1402.
Cleared Roads, 397 and 2043.
Despatch of Business, 434.
Disease in Vines, 322, 750, 1065, and 2544.
Dog Act Amendment Bill, 976 and 2146.
Dookie Farm, 1979.
Dredging Operations, 1624.
Explosives, 1285.
Falls Bridge, 2876.
Fires in Public Buildings, 470.
Fitzroy Post-office, 2438 and 2594.
Flood Damages at North Melbourne, 2768.
Forest Conservation, 629, 1475, 1481, and 2505.
Formation of the Ministry, 720.
Gippsland Lakes, 22, 1624, 1769, and 2788.
Government Printing-office, 421.
Governor's Speech, 29.
Grading on Public Roads, 1358.
Harbour Improvements—Warrnambool, 2183; Portland, 2205.
Hawthorn Railway Collision, 2635.
Irrigation—Bacchus Marsh, 823, 886, and 1066; Colina, 2335; Northern Plains, 2522.
Kerang Public Offices, 2334.
Local Government Laws Amendment Bill, 403 and 885.
Maryborough Water Supply, 193.
Melbourne Harbour Trust—Deposit of Silt, 1893.
Mr. Gordon, 209 and 823.
Mr. Francis Gunn, 2410 and 2464.
Mr. Longmore, 1357.
Mr. A. R. Wallis, 8, 59, and 266.
Mount Abrupt Stone, 21.
Mount Difficult Quarry, 158.
New Law Courts, 665, 1629, and 2522.
North-Western Canal, 18, 19, 469, and 793.
Parliament House—Electric Bells, 223, 324, and 2406; West Front, 563, 745, 1769, 1847, 1899, 2408, 2413, and 2521; Telephonic Communication, 2183.

YOUNG, Mr. CHARLES (continued)—
Pleuroneumonia, 2038.
Prince's (New) Bridge, 1518 and 1526.
Public Works Department—"Miscellaneous"
Expenditure, 820.
Queenscliff Drill Room, 1794.
Railway Construction Bill, 1749.
Railway Loan (1881) Application Bill, 2283 and 2287.
Road Tolls, 1629.
Seed Wheat for Selectors, 469.
State Forests Bill, 404.
State Nurseries, 279.
Titles-office, 1066 and 1115.
Victorian Rivers, 975.
Victoria-street Bridge, 1826.
Vine Disease Act Amendment Bill, 2703, 2945, and 2950.
Water Conservation Act Amendment Bill, 494.
Water Supply—Serpentine Weir, 16, 133, and 468; Grants to Water Trusts, 727, 728, 730, 732, and 753; Broken Creek, 945, 970, 1066, and 1543; Serpentine and Kynipan Creekes, 1230; Geelong, 1477, 1829, 2009, 2064, 2100, and 2903; Loans to Local Bodies, 1483 and 1488; Cobhan, 1792; Avoca Trust, 1978 and 2010; Water Conservation on the Northern Plains, 2092 and 2146; Sandhurst, 2184; Dunmunkle, 2234; Gunbower Creek, 2808; St. Albans, 2903; United Loddon Trust—Weirs on the Avoca, 2907 and 2934; Echuca and Waranga Trust, 2934.
Wattle Bark, 171 and 172.

Zox, Mr. E. L. (E. Melbourne)
Alfred Daly's Petition, 1642.
Asking Questions, 1035.
Betting and Gaming Houses Suppression Law Amendment Bill, 1894.
Bombardment of Alexandria, 1027.
Budget, 873.
Cemeteries Statute Amendment Bill, 1582.
Charitable Institutions, 17 and 1476.
Coranderrk Aboriginal Station, 134 and 362.
Creswick Mining Disaster, 2887.
"Cup" Day, 2236.
Customs Department—Shed Protection, 1905.
Dutyable Goods from Sydney, 2114.
Defence of the Colony, 812 and 1025.
Dr. Edward Barker, 1792.
Dynamite, 1477.
Exhibition Building, 1032.
Factory Act, 2101.
Federation, 2940.
Fires in Public Buildings, 470.
Government Printing-office, 977.
Governor's Speech, 174.
Grants to Water Trusts, 787.
Hawthorn Railway Collision, 2635, 2740, 2792, and 2862.
Insolvency on the Yarra, 2738.
Industrial Schools, 2065 and 2101.
Inspection of Mining Machinery, 170.
Irish Question—Conduct of Members, 554 and 621.
Land Acts Continuation and Amendment Bill, 2258.
Liquor Traffic—Local Option, 1186.
Loans Redemption Bill, 2520, 2568, 2427, and 2432.
Malting Barley in Bond, 760.
Melbourne Gaol, 2807.
INDEX.

Zox, Mr. E. L. (continued)—
Melbourne Harbour Trust Act Amendment Bill, 1941.
Melbourne Telegraph Office, 1795.
Mr. E. H. Hargreaves, 747.
Mr. W. Shuttleworth, 1495 and 1499.
Old Colonists' Association Bill, 418, 471, 565, and 823.
Parliament House—Messengers, 327; the Late Clerk of the Assembly, 866; Stone for West Front, 2413 and 2483; Royal Commission, 2899.
Payment of the Public Creditor, 2464.
Places of Public Resort—Means of Egress, 58; St. George's Hall, 2876, 2904, and 2933.
Police—Adjustment of Pay, 2115.
Postal Department—Robbery of Registered Letters, 2274.
Privilege—Mr. Sprigg, 2547.

Zox, Mr. E. L. (continued)—
Railway Accidents, 2899.
Railway Ballast Contracts, 380 and 658.
Railway Construction Bill, 1054, 1126, 1338, 1380, 1398, 1470, 1524, 1592, 1600, 1630, 1912, 2132, 2142, and 2188.
Railway Rolling-stock—Passenger Carriages, 135; Locomotives, 1108; Cattle Trucks, 1441.
Sandhurst Lands Vesting Bill, 739.
Sir Charles Mac Mahon and Mr. Bent, 2840.
Small-pox, 173 and 1926.
State School in East Melbourne, 1194, 2412, 2924, and 2945.
Temporary Advances (Railways) Bill, 1165 and 1258.
Trade Unions Bill, 1574 and 1576.
Vine Disease Act Amendment Bill, 2949.
Wattle Planting, 1462.
Woods' Railway Brake, 1438.
Yarra Bank Lands, 1391.

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